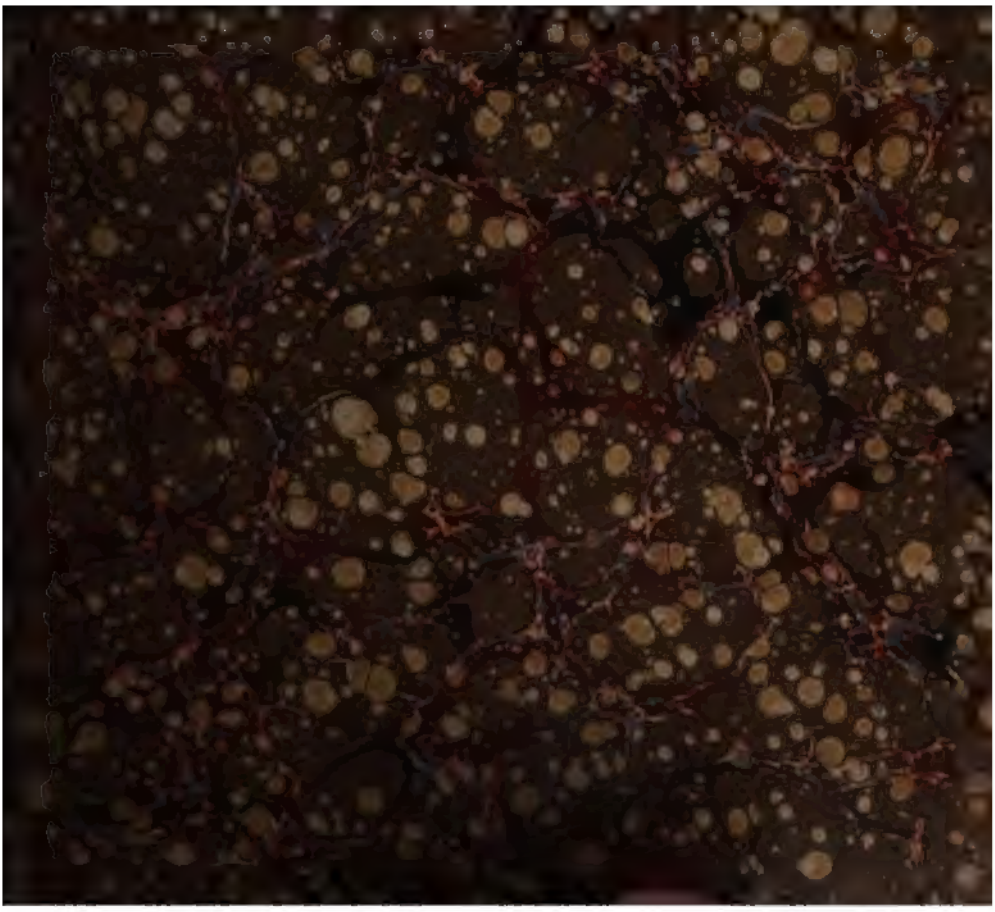

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CONTENTS OF NO. 3.

MUNICIPAL GOVERNMENT.

READ AT THE GENERAL MEETING IN BOSTON, MAY 13, 1873. BY DORMAN B. EATON.

THE subject of municipal government, upon which I have been requested to prepare this paper, cannot be fully discussed at a meeting like this; and the anxious inquiries in all our larger cities for better municipal methods suggests a practical treatment, and in main reference to great cities. It is, I think, a grave mistake to regard the problem involved in providing good government for a village, as essentially the same as that involved in providing it for a great city. These problems are in their extremes radically different, although, as the village grows into the small city, and the small city becomes a metropolis, the laws for their government require a perplexing combination of the methods appropriate to either extreme.

The government of a village may be framed mainly on the theory of gratuitous service by its officers, of personal acquaintance between the voter and the candidate, and of a personal supervision and comprehension of official action on the part of most of the village residents. The village pastor and doctor, the shoemaker upon his bench, and the washerwoman over her tub, alike know the functions and notice the work of the village officers, and mingle their ready and pertinent criticism whenever such duties are not properly performed. Men of leisure and men of action take the village offices for the honors, and serving without pay, they gain the double reward of their approving consciences and of their applauding fellow citizens, male and female. But in the great city, where the hundreds of the village have become hundreds of thousands, where taxes are raised and expended by tens of millions, where city employees may control city elections, where the higher offices require more ability and ten-fold more labor than will suffice for a gubernatorial chair, where unpaid official service is no longer to be had, where not one person in five hundred understands the duties of the higher officers, and not one in five thousand knows who is at fault for the neglect and abuses manifest on every hand, — then indeed the problem of

MUNICIPAL GOVERNMENT.

Read at the General Meeting in Boston, [illegible] By [illegible]

THE [illegible]

securing good government is wholly changed. There must be a trained and paid official service; there must be secured a feeling of official responsibility, not to individuals, but to the courts, and to the higher public opinion; there must be some officers whose especial duty it is to see that the rest honestly and vigorously perform their functions. Everything has become complex, and nearly every branch of the administration must be treated as the sole business of the city officers. Just here arises one of the gravest problems of our politics — how to govern the great city.

In every age of the world, the great cities have stood among the nations as the barometers of their civilization, upon whose records wise men have read, or might have read, the admonitions of neglect and the portents of ruin. The conservative virtues and the orderly industry of the country may for a time preserve a nation from the vices and the disorders incident to bad government in its great cities; but in the long range, we shall find nothing in the history of the great cities, of either ancient or modern times, to qualify the general judgment of mankind that no people can long prosper who are unable to maintain good government in their great municipalities. In this regard, we have no right to assume that the condition of New York, Philadelphia, and Boston, are less significant than was that of Babylon, Rome, and Athens; and so long as we continue to fail in securing as good administration in our larger cities, as is now attained in London, Paris, and several other great cities of Europe, we either impeach our capacity, demonstrate our criminal neglect, or condemn our political system. It needs no argument to show that we cannot govern the country, if we cannot govern the great cities; and if we cannot govern the greater cities better than we have, we may as well make up our minds that we cannot long govern them at all.

There are no elements in our republican system, or in our geographical position, likely to hinder the growth of cities to enormous proportions, but quite the contrary. In no other quarter of the globe have cities been built upon such mighty rivers and lakes — and in no other age have such vast spaces of land and sea been made tributary to their growth. In these times, too, the broader circulation of the city journals, the enlarged system of credits and banking, the more general habit of travelling, and the almost absolute authority of city fashions and habits, throughout the country, have vastly increased the influence of those dwelling in our great cities. In monarchies and aristocracies, the greater influence secured to landed estates, and the privileges

of birth and rank, to some extent, counteract the democratic power of the masses which great cities so vigorously stimulate and organize. Indeed, no small part of the great modern contest for liberty and justice has been carried on between royalty and aristocracy, in the country, on one side, and democracy and communism, in the municipalities, on the other side. There is probably no country, at this time, in which there is a stronger tendency than with us, on the part of the country people, to move into the villages, and on the part of the village people to move into the cities. Already the census, notwithstanding our vast spaces of unoccupied lands, shows a greater rate of increase in the village and city population than in that of the country; and more and more, our legislatures are overslaughed and corrupted by municipal legislation.

Wishing to test the truth of my own observations as to the amount and rapid growth of such legislation, I have counted the laws relative to the charters of cities and villages, in the State of New York, enacted in each of the following years: 1840, 1850, 1860, and 1870, and with the following results: in 1840, fifty such laws were enacted, being one eighth of the whole number of laws of that year; in 1850, seventy-one such laws, being more than one sixth of the whole; in 1860, one hundred and twelve such laws, being more than one fifth of the whole; in 1870, two hundred and thirteen such laws, being more than one fourth of the whole; and those latter laws fill far more than one fourth of the 2,380 pages of the loose and careless statutes of that memorable year of municipal infamy. Under no form of government, I think, is all that is bad and dangerous in the life of great cities developed with more rapidity, or checked with greater difficulty, than under a government like ours. The unwelcome proofs of this fact come from all our larger cities, and much in proportion to their population. The official infidelities and pillages of New York have long humiliated our people at home, and disgraced them abroad. In Philadelphia there have been alarming frauds at the polls, and disgraceful partizanship in the city offices, for which municipal clubs are now endeavoring to provide a remedy.

Brooklyn staggers under excessive taxation, and needs its reform "committee of fifty;" while Chicago and New Orleans are anxious under the defects of their municipal methods and alarming abuses. If, of the larger cities, Boston is by far the best governed, I believe it is not to be denied there is anxiety here about the tendency of city affairs, and an increasing difficulty

in electing the best men to city offices. Here, too, I learn there is a disposition to inquire whether the great city of the future can be governed upon the same system as the model city of the past. The great fire, I believe, disturbed theories as to the fire department, and Mr. Bradford has lately declared that "of all the great robberies and murders of later years, not one has resulted, unless under very plain circumstances, in the arrest and conviction of the criminals." In New York, the philosophizing and self-accusing spirit has been thoroughly aroused; and it is safe to say that during the past two years, it has caused more discussion as to the true principles and methods of city government, than has heretofore taken place on this continent. In that spirit rest our hopes of improvement.

2. Every measure of political reform may be mainly directed to either of these great ends: to that of instruction and enlightenment, so that each succeeding generation shall be wiser and better than its predecessor, or to that of a better organization and use of the intelligence and virtue we have, so that what is honest and wise in the existing generation shall have a more controlling authority. It is plain enough that a reform in either of those spheres will be of great use in the other, and that all attempts at municipal reform through *better methods*, assumes that there is personal worth and unselfish influence, now lost to city government, by false and vicious methods. Such is my firm belief; and without at all underrating the transcendent importance of sound and universal religious and secular instruction, as the basis of all municipal virtue and safety, I shall yet confine myself to a consideration of the best methods of combining and utilizing for the purposes of government, the virtue and intelligence which our great cities *now* contain.

3. It will hardly be denied that the most frequent and persistent abuses in our public affairs have had their *origin* in our larger cities. There the great frauds have been committed; there are to be found the most impudent and prosperous jobbers in politics — the most mercenary and detestable caucuses and rings — claiming to act in the name and on the principles of parties. If we look upon the great city streets, they are rougher and dirtier than those of the great European cities; if we count the vagrants and criminals, their number is disgraceful, if not alarming; if we look at the cost of great city buildings, it assures us of extravagance, if not of pillage; if we contrast what the city does generally, with what the average citizen does for himself, we are

convinced that the great city administration is unworthy of the great city people. Passing from what the great city does, to evidences of the spirit and opinions which it cherishes, we find that which should give the highest confidence to the friends of reform. Nowhere in the world have the people of vast cities exhibited more conducive proof, than on our soil, of that intelligence, sense of justice, and public spirit which ought to create and maintain the best methods of city government.

In no age of the world have the voluntary gifts of city populations reared ampler temples to the worship of God; in no European city is there better provision for every form of providential or accidental disability; nowhere else has gratuitous public instruction been more liberally extended to all the children of poverty; and our public provision of water and parks for the poor and the rich alike, round out the measure of our municipal liberality and intelligence. I fully believe that great cities in no quarter of the globe have produced more frequent or noble examples of private worth in either sex, than in this country. Such facts ought to convince us of the possibility, and to arouse us to the duty, of making our municipal methods worthy of our great city population.

4. But the moment any considerable change is proposed in the system of our great city government, we are told that such change would be anti-American and hostile to the spirit of our Republican Institutions, because our municipal methods are a part of our original political system, which patriotism and consistency requires us to maintain. This assumption, I maintain to be wholly unfounded. It overlooks the sphere and aim of the American Revolution, which had no relation to cities or villages. This country has never created a municipal system nor has it ever really adapted any to its political theory or condition.

The Revolution, that made us a nation and gave to our state and national institutions an original structure, left our municipalities almost unaffected. The authority of the British crown, from which their charters came, devolved upon the States; but, for a quarter of a century or more, this authority was scarcely exercised; and our cities grew on under the British, royal system. Taking New York as an example, I find that in that creative period of republican constitution-making and legal remodeling, between 1776 and 1784, the official compiler of the city laws does not quote, nor can I find, a single new statute affecting its government. Nor, until 1830, is there a material amendment of those royal

charters that survived the royal flag. The first constitution of New York, adopted in 1777, only alludes to the affairs of cities to confirm their foreign charters. The constitution of 1822, has but a slight provision in regard to cities or villages. Other cities were hardly more affected. Since these later dates, however, changes have been frequent. But the repeated amendments of our charters have been generally based on no system; have introduced incongruous provisions; have been dictated by partisan and mercenary influences, and therefore involve no solution of the grave problem of governing a great city.

While contributing so little to that solution, we have added to its perplexities and its perils by repealing property qualifications for suffrage and making suffrage universal; so that now, with the great influx of foreign elements, the vast force of accumulated wealth, the skillful influence of trained, hungry, and unscrupulous city partizanship, the aggregation of vice, poverty, ignorance, and crime incident to great cities long feebly and corruptly governed, that problem presents such profound elements of difficulty as only true statesmanship will be able to master.

It is not only true that we have not created or adopted any municipal system, but it is also true that we have not, except in the past two years, studied the great city problem, much less gained any true conception of the principles and methods best adapted to a great city government. Nothing in the whole range of our affairs, public or private, no science, no profession, no art, no branch of business, has received so little candid and able thought as city government; and surely nothing else on this continent has been so badly managed or is in a condition at once so dangerous or so disgraceful.

We must certainly govern our cities in harmony with the great principles of our republican system. We have individual equality before the law, personal suffrage, with either no property qualification at all, or none that materially influences such suffrage. These are controlling elements, and they have never existed elsewhere in any great city. For these reasons, and also because, everywhere else in modern times and in the great cities of former ages, some privileged class or some over-awing central power has exerted great control over city affairs, we can gain but little aid from the experience of any cities except our own. In Berlin, and in Paris until very recently, the strong arm of Royalty has been controlling; and even in London, the crown and the national government are vigorous conservative forces, while suffrage is

greatly limited. Indeed, true self-government or even representative municipal government, cannot be said to exist over what we call London, although in that small portion known as the City it exists in a qualified form. We must therefore solve our great city problem, not only in harmony with our general system, but mainly in the light of our own experience, and upon the basis of an original and thorough inquiry into the elements which it involves.

5. There are indeed some who suggest that the large property qualification for suffrage which we imported should be restored; so that, like the English, we may relieve ourselves of many conspicuous city abuses, by thrusting their authors beneath the consideration of the law. But I fear this might only disguise but not remove the greater evils. It is a grave question whether the more degraded condition of the lower strata of city life in British cities, as compared with the same class in our own cities, is not largely due to a denial of suffrage, as well as of instruction. Besides, the remedy of complete disfranchisement for want of property will not, I think, be found practicable. Men will not vote to disfranchise themselves, and very few will vote to disfranchise their children, for lack of property. In every country of the old world, the advance towards republicanism is measured by the steady reduction of the property qualification for suffrage. At whatever point it is fixed, it is again promptly and successfully attacked. If the friends of municipal reform, here, should demand such a qualification, there would be great danger that the masses would successfully denounce the whole movement as a selfish and aristocratic alliance between wealth, learning, talent, and social pride, to depress the poor and control the great cities. It might be practicable to provide that none hereafter coming to manhood, who cannot read and write, shall vote; and disfranchisement for crimes ought to be greatly extended; but until we have patriotism and wisdom needed to enact so just and wholesome laws as those, how can we hope to disfranchise that poverty which, often providential, always commands our sympathy. That we may be able to elect a municipal board, having authority only as to the care of the treasury and the amount of our city salaries and taxes, by a method somewhat based on property, is the most that seems practicable. This is proposed in the pending amendments of the constitution of New York. There is no denying that the poorest have a common interest with the richest, in the greater subjects of human legislation, — life,

liberty, religion, family, character, health, — for they are the whole of the poor man's fortune; but no voter has a right to participate in the care of funds to which he does not contribute, or in the fixing of expenditures of which he does not pay any part.

6. In providing governments for our great cities, it will be essential to deal wisely, which means very sternly, with what are generally called city rights or franchises. Such claims have already been pressed in the interest of demagogism and mercenary partizanship with no slight arrogance and success. Even candid, thoughtful men are liable to undue excitement and may advance unreasonable pretensions, in behalf of what is assumed to be the honor and the rights of their city; and these evils are liable to increase with the growing preponderance of municipal population, wealth, and influence, aided as they are by frequent annexations from the adjacent country to the great city. In its more plausible forms, this City-rights doctrine is put in the shape of a claim on the part of cities to have their charter subjected to the test of a popular vote in the city, which also means a claim of right to have such a charter as the city voters choose to demand. The city has no more right to reject a charter, approved by the State, than any separate town has to reject a law concerning fences, highways, or hop-poles. If we give our municipalities the powers of the free cities of the Middle Ages, we ought, at least, to secure the counterpoises of those times, by granting to the towns the authorities of the feudal lords. There is great need to strengthen the wholesome influences of the country; and it will be a grave public misfortune if the cities and the great corporations are to be allowed continually to encroach upon the interests of agriculture and to impair the independence and the manly self-respect which it fosters. The true theory on the subject is plain enough. The State should govern all its people, as much those in the cities as those on the farms, in a manner most conducive to the well-being of the whole population. And when, by reason of peculiarity of pursuit, or density of population, special local laws or administrations are needed, they should be provided by the State, in such manner as not to sacrifice the well-being of the whole people for the advantage of any portion of them. Such is the just basis of all local legislation, whether it pertains to miners, to fishermen, to lumbermen, to persons, to villages, to little cities, or to great cities. The basis is not any local right, in derogation of the general right of the people, through the common representatives, to

govern the whole country. In one sense every city, like every village, and every town, and every inhabitant, has a right to be locally and individually governed in the best way practicable; and in another sense, there is no local right or city right whatever. The city's rights to its own property, like the right of every other corporation, and of every man or woman to property, are secured by both the State and the Federal constitution. The city has clearly no more right to have the officers it may choose to demand, or to exact the franchises to which it may lay claim, irrespective of the opinion of the State legislature, than any citizen has to vote as he may please and hold such office as he may desire. While opposed to the arrogant and grasping claims often made on behalf of great cities, I am by no means opposed to the largest measure of municipal privilege and local self-government, whether in cities, villages, or towns, which is likely to be wisely enjoyed. The municipal privileges and activities of our parent country undoubtedly greatly contributed to the establishment and maintenance of those great principles of liberty and justice we have inherited. And we may well believe that no high measure of liberty, regulated by law, can long be upheld by any people who fail to sustain municipal institutions. So far from being disposed to limit such government, or to deny it essential power, it is my purpose to show how it may be best preserved and made more salutary and popular. To that end it is essential that every charter should be regarded as coming as a wise concession, from the whole people, of special political privileges to a portion of them, and not as a right which a local fraction of the people has flattered, or bribed, or bullied the representatives of the whole people into recognizing. The difference in the two theories is immense and vital.

We have too much surrendered the sovereignty of the States to the claims of cities and villages; and under this faulty practice our State legislatures have tended towards becoming mere registering offices for city, village, and town charters, which in their provisions are almost as diverse and hostile as were the laws and usages of the municipalities of the Middle Ages. If we do not arrest this tendency, we shall establish in the great States of this Union, a system little better than the follies of Poland, when any noble could veto the selection of a king, or of the Dutch Republic, when any town could obstruct a treaty, or of the early Confederation of Switzerland, when the veto of any Canton could defeat any Federal measure. Our early constitutions, made when

our ablest masters in the theory of republican government were fresh from the great debate of principles and organization, contemplated far less power and independence in cities and villages than partisanship and demagogism have since secured for them; and to that cause no small part of our municipal abuses and inefficiency are due. In New York, and in many other States following her bad example, the judicial power even has been subdivided and parcelled out among villages and cities and made dependent upon popular majorities, until the salutary ideas that law and justice should be non-partisan, and one in spirit and one in administration, for the whole people alike, have been greatly obscured. Better counsels however are now prevailing, and there is everywhere a disposition, already illustrated in legal and constitutional provisions, to return to that wise theory which preserves the power of the State and checks the arrogance and the rapacity of the municipalities. It is one of the honors of Massachusetts that she has never made her judicial offices elective, and has never recognized in her cities and villages any right to a local administration of justice independent of the State. I am convinced that the exemption of the city of Boston from so many of the abuses found in other large cities is, in a large measure, due to the fact that all her judicial officers and especially her minor justices are appointed by the State and hold office during good behavior; while in New York and other States following her bad example, all the minor justices have not only been made elective for short terms, but, what has been worse, have been made elective in small districts formed in the cities. But, happily, a law of this winter has made the police justices of New York city appointive by the mayor and aldermen for a term of ten years.

7. When we are about to frame a government for a city, we naturally inquire what is this government to do? I am convinced that we shall never govern a great city well, or rightly comprehend it, until we consider its administration as involving a large amount of business to be done by business men, rather than a large mass of politics to be managed by partisans. We must act on the reputed maxim of the new President of Mexico: "A great deal of administration and very little politics." Not only is this rule demanded by our experience, but it is founded in the most philosophical view of the subject.

In the first place, the constitution of the Nation appropriates to itself most of those deeper subjects of principle, and the regulation of those larger elements of commerce, about which parties

are gathered and by which men are lifted above petty intrigue and personal aims. The State next comes in and asserts its power throughout the whole sphere of social relations, personal rights and individual dealings. It not only creates the city itself and its government; not only defines the tenure and functions of all its offices; but it determines the political and protects the natural rights of every dweller in the city. As a rule, it may be declared that every subject broad and deep and interesting enough to cause men to come together for common action from public motives, is embraced within the sphere of State and National legislation. What is left for the city is a miscellaneous lot of small fragments of principles, mingled with a vast amount of business details — sewer digging, street working, tree planting, garbage and dirt carting, putting out fires, catching thieves, together with caring for the public health and the city finances, and teaching the children, and regulating charity as the State shall order.

There are no materials for a policy, no subjects for a party, no great republican ideas, no part of our original constitutional theories, within the city jurisdiction. Hence there is nothing unnatural in the fact I have pointed out, that for more than a quarter of a century after the Revolution our cities and villages went on, almost unaffected by its great vindication of principles, under the old Royal System, hardly abandoned even at this day. Unlike the State and the Nation, the city makes no laws, but, like individuals, must obey those made by the State and the Nation. The power of making ordinances for regulating city administration, is far more analogous to the power of railroad or manufacturing companies, or of a great proprietor, to make rules for the transaction of a vast business, than to the authority of a legislature which in a day may create a new city or resume the franchise of an old one. I by no means think lightly of the effect of city administration upon the personal comfort, the moral tone or the pecuniary burdens of city people; but what I declare is, that city government is a sphere for personal honesty and business capacity, rather than for political policy or party principles. It is in the region of business, and must be provided for and conducted on business methods.

The accuracy of this description depends very much, of course, upon where the line is drawn between laws enacted for all the people, and laws especially provided for cities and villages. As a nation, we have been greatly in fault, both in principle and in practice, in conferring so large powers under special charters, and in so little

majority, which means the stronger party, has a natural right to govern, and that all attempts to give a representation to the minority is only a fraudulent attempt of the party not in power to cheat the people and to secure an influence to which it is not entitled.

It is not difficult to answer such reasoning. The useful influence and the inevitable necessity of parties in the great affairs of the nation, and to a large extent in the affairs of the states, I by no means question. When only a single president and governor or other high national or state officer is to be elected, or a law is to be enacted involving party principles or policy, men will act in parties and according to party methods; and parties being thus legitimately in existence, it will not be possible to exclude their powerful influence upon mayoralty and aldermanic elections. But I hold that the less participation parties shall have in city and village elections and administration, the better for the parties themselves, and the better for the people of the cities and villages. Let us bring the question, whether the system of party government should be applied to a city, to the test of principle.

It will be conceded that a party, even in its highest conception, has selfish elements and aims, as well as those that are unselfish. While the great indirect end sought is the public good, the more direct and absorbing object is a party victory and the election of certain officers. Within its true sphere, a party may organize and lead on to noble ends all that is pure, noble, and unselfish in a nation. The great danger of evil from party action arises from the possible preponderance of its ambitious and selfish elements over its sense of public duty and its allegiance to those principles which tend to promote the public welfare.

Let us now apply these tests. Nowhere is there so favorable a sphere for all the beneficent power of party, and nowhere is there likely to be so few attendant evils, as in a country like England, where there is a steady progress from arbitrary rule toward liberty. One party struggles to guide public action by the spirit and methods of a waning, aristocratic royalty. The other struggles to bring that action under the spirit and into the methods of a growing, republican equality. The parties are always divided by questions which with us would be regarded as involving constitutional issues. Parties contending for such prizes must always have a well-defined, conflicting and controlling policy, which can never allow the leaders of one party to bribe the leaders of the

other party. In a party struggle involving such elements, the mere mercenary interests are comparatively feeble. That the rich and the privileged should take quite as active a part in party affairs as the ambitious and poor, is just what we should expect from the objects of the party struggles. And here is the explanation of the greater purity and the larger participation of the educated and rich, in English politics. Turning to our national affairs, we miss several of those elements of a dignified, steady, party policy, and all of those class prejudices, which give such serious antagonism to party action in England. And it is equally certain that the power of party discipline is weaker here. Still our national affairs furnish a healthy sphere for party warfare. Our foreign relations; the rival claims of sections as large and widely separated as European states; the demands made in the interests of the rival commerce of the great cities, and of the varied productions of remote regions; the conflicting policy of those on the Atlantic, those on the Pacific, and those in the great central valley; the jealous questioning by States, of the power of the Nation, and by the Nation, of the power of States; the grand and interesting balance of strength between the long-term power of the President and the Senate, and the short-term power of the House, between representative officers directly elected by the people, the heads of permanent departments and a life-tenure judiciary, whom the people do not elect — all these elements afford so steady a ballast, material for such genuine party antagonism, and call for party action in so broad an arena, that it is hardly possible that it should ever degenerate into a mere scramble for office and a mere conspiracy for spoils.

There can, however, be little doubt that since the absorbing questions of constitutional construction, and of slavery, have disappeared from our politics, the great parties have not had so well defined and salutary policies of antagonism, nor been so much controlled by great principles; and that as a consequence, the question of patronage and office have gradually assumed a dangerous predominance, and the political parties have become more and more selfish and mercenary.

It is also plain that there is, in connection with national affairs, a great deal to be done which has about it more of the elements of business than of party policy or principle. This part in the main falls to the great departments and to the small local offices; and it becomes more extensive, and appeals more and more to mercenary motives as the country grows rich and the great cities

increase in wealth and population. It is for this portion of the national administration that party-governed England has provided civil service reform, and that we so much need that great but difficult remedy. It is this part of the national administration which most resembles the whole bulk of municipal administration. If, from national affairs, we turn to those of the States, we shall find their characteristics divided between those of the Nation and those of the great city; and the character of State legislation and administration, conducted on party principles, naturally enough, is lower than that of the Nation, and higher than that of the great city. There are, however, in State affairs, several influences not found in a great city, which tend to make parties amenable to principle and honest interests; and hence check their tendency to fall under the dominion of their baser elements. The pursuits and population of the country, differing from those of the cities and villages; the varied productions and local interests of a community as wide-spread as a European kingdom; the organized power of hundreds of villages, cities, and towns, each having local self-government, and jealous of its own rights and of the supremacy of the State; all these elements present not a little of genuine antagonism and no mean material for a real difference of party policy. Notwithstanding all these elements, it is but too plain that State patronage and the pecuniary gains of wielding party power in the States, are influences of party action so strong, as in some measure to subordinate party principles and jealousies; and, for these reasons, we sometimes find party leaders contending for influence in reference to its vendible value and uniting with their opponents in common measures of mercenary gain. Still there is a sort of canvass, though mainly of national questions, during State elections. It is unquestionable that of late, real debate has gradually diminished in the State legislatures; that public confidence in their action has been greatly impaired; that genuine party policy and principles have become less controlling in State politics.

The example of several States providing minority representation illustrates the demand for a relief, likely, as I think, to be found in that remedy, if reënforced by the proper application of the principle of civil service reform to State as well as National administration.

If, now, we survey the great city for a sphere for party principles or useful party action, as to its own affairs, we shall find all the regenerating elements of parties wanting, and the elements

of their debasement existing in unparalleled force. The arena of party struggle is a space as small as a single town. Public action relates only to certain local conveniences and peculiarities, which are the result of concentrated population and business. There is no occasion for any party policy in city affairs. The city has no officers deriving power from independent constituencies, and with long terms, in analogy to the President, the Senate, and the House of Representatives, or to State Senators and Representatives from remote sections; but all city officers obtain power from the same uniform, omnipotent party majority. In the city are no organized, jealous, political bodies, having local jurisdictions, interests, and rights, like the towns, villages, cities, and counties of the States, or like the States of the Union; but the sole elements are the equal votes of citizens in a little locality; and all the organizations are the Assembly Caucus, the Judicial Caucus, the Senatorial Caucus, the Alderman's Caucus, and the like. Each of these little caucuses is but a representative and instrument, like a branch of the Jacobin Club, of the great central city caucus. That central caucus is the irresistible, omnipotent embodiment of the party majority. Without the consent of this central power, no candidate under the party system can be nominated, no clerk can continue to hold his place, and no officer, high or low, can take any important official action. There is nothing which affords any subject of real party contest, except the patronage of office and the profit of power. The sole relation of the city to the large affairs and policy of the great parties is mercenary and dishonest. The power of city politics is used to raise money for State and national campaigns, to manufacture fraudulent voters, to aid demagogues and knaves in securing office outside the city, and fortunes in the city. The government of the city requires no party organization, is aided by no party principles, presents no party issues. Such a phenomena as a public debate pending a city election was never heard of. It was natural then, under the party method of great city government, that real discussions should cease in our common councils, and that such bodies should be degraded into secret conclaves for recording caucus mandates, dividing official gains, and quarreling over municipal patronage. The voters in the city of New York, for example, were bribed by the stealings of the treasury, dispensed by partisans; the party leaders on each side connived at cheating at the polls and peculation in office; the worst of the leaders in each party drove out the best; and using the power of

party to control the journals, they deceived and corrupted the community they had enslaved. Every effort of the better city elements of the Democratic party to arrest the course of these bad men, by action in the city conventions, failed. And it was equally significant that the most dangerous and mercenary influence which the State councils of the Republicans had to deal with were those bred in the political hot-beds of New York City.

It was not the zealous party spirit or the party antagonism of the minority in the city that attacked the stupendous abuses of the majority. That attack, on the contrary, was begun and has been led on, by that public sentiment which least regards party affiliations and most demands a non-partisan city government. I see no reason to doubt that such corruptions as it exposed might have gone on for years without any danger of exposure from the city leaders of either party. The only real peril of our official thieves was from that non-partisan element in city life, which our partisan system practically excludes from all participation in the city government. As there is no honest material in a great city about which to make a party issue, or out of which to construct a party policy, it follows that there is no honest party life there. The great parties do not admit a party responsibility for city affairs, and they suffer little by reason of city corruptions, except when such corruptions are so great as to madden the people. There is no debate of party principles in the party conventions or party elections of the city. The only political topics are the distribution of office, the division of spoils, the accumulation of votes, and the way in which influence in the city party can be used to gain office in the state and nation. The city is not expected to furnish the party with great men or great ideas, but only with great numbers of votes and great sums of money. Once take from the city party these attendant advantages, and neither party will make a struggle for such power. There being no principle of policy in city politics by which the fidelity of leaders may be tested, it follows that party leaders in the city feel no political check upon their personal and mercenary temptations. While they invoke the power and screen themselves under the name of the national party, they neither obey its authority, or conform to its principles. Hence city party organizations do no good but mischief continually.

In fact, what can be more absurd than to make a man's opinions upon female suffrage, the annexation of San Domingo, the policy of coercion in Louisiana, the subject of internal improve-

ments — in short upon any national party question — the test of fitness for membership of a street cleaning commission, a fire department, a sewerage board, or a police force! New York City has the honor, in this country, of leading the way toward a non-partisan method of city government; and although her efforts have been mainly limited to her police and her fire departments, she has achieved results there, from which even Boston with all the superior intelligence of her population has yet, I think, an opportunity to learn.

Not political opinions or the favor of any head of department can legally appoint or remove a New York fireman or policeman; and the recognized efficiency of those departments, amid the most unparalleled party abuses, have vindicated the wisdom of the non-partisan and civil-service reform principles upon which those departments are organized.

9. There is another pernicious feature of city government, which stands in near relation to the party system; I mean that of subdividing the city into small districts for the purpose of representation in congress, in the legislatures and the city councils. Mr. Mill has declared it to be a great evil when laws present the facts to which they relate to the people in a false light; and such is the case with all laws resting on the assumption that a city affords any basis for district representation.

The division of the country into small districts for elections and representation has a foundation in public convenience and in local interests. Each town in itself, territorially larger than a great city, is an organized body, which acts and may be represented as a unit. Every town and country district has local pride and peculiar productions, interests, and needs. The representative from each feels that he must be faithful to those local interests and secure the legislation to which they are entitled. He feels that he has a distinct constituency which has a clear right and disposition to call him to a strict account. But when you come to the small district in the great city, you find no peculiar interest or opinion therein to be represented; and on the score of convenience there is no need of having separate officers elected in city districts. As a political organization, the city is a unit; and it has peculiar interests and opinions as such. So far as they are diverse, they are in no sense separated by ward or election district lines. So far as the relation between the aldermen and congressmen and assembly from a city district and his constituents are not wholly false and meaningless, it is the

same as his relations to the other people of the city. Hence there is no duty or direct relations between the city officers and those who voted for him, which operates upon the city representative, as it does upon the member from the country district. At best, his feeling of responsibility, if he has any, is to a far larger community than that which elected him. Why not then allow this large community — that is, the people of the whole city — to vote at large for all the city representatives, whether in the city councils, the state legislature, or in congress. The old method of wards and districts has nothing necessary or useful in it, — and besides placing every representative in that false position which impairs the official sense of responsibility, it multiplies opportunities of mercenary partisanship, at the same time that it increases the chances of small and mean men securing municipal office. As you diminish the district, you lessen the prospect of worthy and able men, either desiring or securing office in the city. A little man seems large enough for a little district — and when little districts are carved out by such a purely arbitrary method as that of subdividing the streets and blocks of a great city into parallelograms, squares, triangles, and Gerry-mandered many-sided patches for political purposes, utterly irrespective of the business opinions, productions, or interests of those residing there, all the reasons on which true territorial representation is based are disregarded and defeated. But the evils produced are by no means limited to those I have named. Every one of these little districts, under the party system, nourishes a little pestiferous caucus, or party junta, headed by one or more small demagogues, and filled by a brood of contemptible brokers in pot-house politics, who trade in local nominations and patronage. In those small districts inferior men may be all-powerful, who in the open arena of a general city election would be too contemptible to be mischievous. Yet their combined influence may control the elections. Under that system, the city party is a unit in regard to all city elections and uses these local caucuses as its outposts and rifle-pits. No city district is allowed to freely nominate and elect its own justice, aldermen, assemblymen, or other officers. The whole power of the city party, through its great central organization, omnipresent in its activity and insatiable in its demands, concentrates its entire strength against every district nominee who does not accept its tendered pledge and its humiliating conditions.

While the city is divided into districts for the purpose of elec-

tions, the mercenary, dishonest, scheming, ignorant, and bigoted elements are not so divided, but are left free to come together into one great, insatiable, hideous, voracious combination. This body readily falls under the control of its most cunning and conscienceless members, who are called the "Ring," and this ring occupies the inner chamber of the political temple and wields all power. All local caucuses in the city are only picket-guards of this central power. Like Polyphemus, it has but one eye which is single to its own interest, but like Briareus, it has a thousand arms which are thrust in wherever there is any public action in the city or any public money to steal. All the elements and agencies of reform are opposed to the influences of the small district system. They demand publicity, the predominance of large ideas, a broad arena, and an open field of action. They appeal to that high and instructed public opinion which scorns partisan and small caucus's manipulation, which rests on principle, which speaks through the public press, which demands that the interests of the city shall be comprehended and represented as a whole. The moment elections in cities shall be made general for the whole city, not a few men, who would be bold and confident, if they could present themselves as candidates in a ward or a smaller district, will shrink from consciousness of their inferiority before the majesty of the audience and the vastness of the interests; and the voters themselves will have a higher appreciation of the dignity they confer and of the ability they should require, when acting in behalf of the whole city at once. It is small men, mean interests, trading politicians, despicable demagogues, petty speculators in political influence, who have most to gain, and upright men guided by great interests and disinterested sentiments that have most to lose, by little, arbitrary districts. Give those who live by the trade of politics, districts of an acre each, elections once in three months, with the right of electing every officer from the county clerk and police justice, up to the mayor (as was really the case in New York), and they will soon control and disgrace any great city.

I am convinced that the great work of municipal reform will be promoted by reducing the number of elective officers, by extending their terms of office, and by allowing no representation of any district narrower than the utmost jurisdiction of the city itself.

10. But it may be said that representatives elected on a general ticket in the city will all belong to the larger party; and

such might frequently be the case, unless provision shall be made for those having common interests, opinions, and sentiments to vote together, irrespective of the part of the city in which they may live. In my opinion, such provision is indispensable to good government in the great city; and in a limited and defective manner, it has been provided in the new charter just enacted for New York City. The charter vetoed by the governor last winter made such provision in rather an extreme form of cumulative voting. The method of free, non-partisan voting, as is well-known, has been incorporated into the laws of Denmark, into the new school law in England, into the constitution of Illinois, and into the municipal system of Pennsylvania, with most satisfactory results. My limits will not allow me to discuss any of the various methods of its application, or to do more than to refer in the briefest language to the essential principles which it involves as applicable to cities. If it be true, as I have urged, that healthy parties can never be formed upon city issues, and that great-city administrations can never be honestly carried on after party methods, then it follows that we ought to adopt some other than the party system; and hence to have representation rest upon some other basis than the party or numerical majority in city election districts. It has been one of the results of a false extension of the party system to cities that city representation tends to become a mere representation of the party caucuses and not of the people, their opinions, sentiments, or interests.

It is plain that, while the city has no territorial interests except as a unit, it has yet a great variety of pursuits; has opinions and sentiments far more broadly contrasted than the country. But those engaged in those diverse occupations and holding those varied opinions are distributed throughout the great city. If we are ever, in a community thus constituted, to have a real, honest, and fair representation of all such opinions, sentiments, and interests, as ought in a public and legitimate manner to be heard and felt in the halls of debate, it is plain that there must be better means provided for their cooperative expression at the polls than any supplied by our royal, old, municipal system.

So long as all those opinions, sentiments, and interests are and must be compromised, bartered, or abandoned in party caucuses, or divided, discouraged, and frittered away in little city districts, we may as well expect the continuance of the series of cunning, selfish, and unprincipled demagogues and partisan mercenaries, who have so long misrepresented and disgraced every great city unless it be

Boston; and I believe they consider their prospects as improving at the very "hub" of the nation. The true method of reform seems to be to enable men having common interests and opinions, in the city at least, to come and vote together and thus secure a real representation of their kind. In that way the city members will feel they have a genuine, watchful, abiding constituency behind them, and not merely a caucus, a party, or a ring. Such a method will dispense with nearly all the city party machinery and will give real freedom of choice to the voter. I cannot stop to answer those objections, made to free voting or minority representation, which are to the effect that it will develop cliques and cabals; will, forsooth enable drinkers to combine and elect a drunkard, and gamesters to conspire and return a gambler. If any system of cumulative or free voting could produce such results — would, indeed, compel thieves, robbers, roughs, and rascals, and every form of miscellaneous villainy and scoundrelism to vote only for their kind, — I should by all means desire that method to be adopted. Nothing would so purify our city politics as to have the vile classes which now degrade our whole city representation compelled to leave a free field to honest men and to send the most exact specimens of their own ugliness into the halls of legislation. When Satan shall be served only by well-known devils, I believe we may regard the Millennium as at hand.

There is no foundation in the argument that a method of election that shall enable men freely and effectively to vote according to their real opinions and interests, will tend to form cliques, but the effect will be quite otherwise. Such a method will give naturalness, reality, and truthfulness to the whole business of elections and representation. It accepts and gives representative expression to the people of the city as they are, to business interests as they exist. It is the present forced, unjust, and partisan method of voting which causes cliques, and breeds and supports the little traders and great jobbers in nominations. Every member when elected finds his sense of duty, so far as he has any, divided between the trading caucus that secured his election and the people of the city whose interests he ought to regard.

Under our present system, there are men of the purest character and largest capacity, in our great cities, who can never be elected, only because their natural supporters are distributed through several election districts; while men without conscience or decided convictions, readily conciliate all the diverse interests and opinions in the little district by unscrupulously promising fidelity to each separately.

The inability of independent and honest men to either find any worthy candidate with any prospect of election in their own little district, or to unite with those of similar opinions and intents in other districts, every year keeps thousands of the most competent city voters from the polls; at the same time that the roughs and rowdies, the venal, the schemers and the mercenary partisans under the guidance of the great and little demagogues of the great and little caucuses, control the city elections. We must not overlook the fact, that the most diverse interests and pursuits and the most irreconcilable opinions are to be found in the great city; the lender and the borrower, the laborer and the man of fortune, the landlord and the tenant, the importer and the manufacturer, the Catholic and the Protestant, the advocate of high tariffs and the advocate of no tariffs, the thief and the philanthropist, the purest and the vilest, organized villainy and organized benevolence, are found in the great city together; and the question is, whether we shall open representation to all of them that dare practice it as wide as practicable, or whether we shall compel a general compromise of intents and convictions in the primary caucuses and conventions, as a condition of obtaining nominations.

I am convinced that the party method of compromise, in the caucus and conventions, especially in large cities, is in the highest degree unfavorable to the selection of men of firm character and decided opinions, or of a high sense of honor and duty for official stations. As none can be elected under our present system, but those who secure a majority of the votes, every man engaged in unlawful pursuits, every man who is ready to sell his vote and that of his followers, all those who hope to make selfish gain out of the abuse of official discretion, promise their support only on the condition of a pledge of official favors. In a struggle for a nomination, when the majority can be secured only by causing most of the voters to believe that the candidate agrees in opinion with themselves, it is too plain to need argument, that a most dangerous inducement is systematically offered to deception and hypocrisy, not only on the part of the candidate, but on the part of the voters as well. The very necessities of this ordeal of gaining a majority nomination, give employment to a great body of detestable partisan and mercenary middle men, brokers in politics, and cheats in practice, whose function it is, to present the candidates in the most protean hues to the voter, and to cajole the voters into a surrender of their principles to secure a majority. The true method is to recognze the diversities of interests,

opinions, and sentiments which always exist among the voters of a great city, and to allow those in real sympathy, to vote together; only such a method secures real honest representation. Then we shall have earnest, vigorous, and instructive debates in our legislative halls; and the process of harmonizing and compromising, will take place in the open arena of public duty before the eyes of the people, instead of in the secret conclave, and the partisan caucus.

Elections on general tickets in cities, under such a method, would, I am persuaded, deprive the viler classes of the greater portion of their present influence, and vastly increase the influence of every noble sentiment and every honest man of intelligence.

We ought to comprehend that the more venal, degraded classes have not been found dangerous in city elections because they have combined among themselves, or have desired to elect a candidate of their own kind, but only because the party system of government has furnished leaders and inducements for those classes to take sides in the party contests and turn the scale in favor of the worst candidate. The prospect the city party has of gaining a profitable majority in the city and of defeating every bold, able, and upright candidate, has stimulated their efforts to secure this degraded vote. Let it be certain that mercenary city partisanship cannot defeat the candidates of the intelligent and high-toned classes and a considerable portion of this degraded class will, I think, not vote at all; and the few really able, fearless men sure to be elected year after year will always defeat the worst schemes of the dishonest in any assembly.

The increasing tendency of the party and small district method of city voting has been to cause every representative to regard his party as his sole constituent, and to cause the best among the people to feel that the legislature and the city council really contain no men who truly represent themselves. What we need is a method which shall remove all partisan obstructions between the people and the polls, and which shall enable voters to freely elect in due proportion, those who truly represent the men who vote. But not the least benefit of a method of free, non-partisan voting in the great city will be that the corrupt manipulators of elections can never, with any certainty, predict the result. Being now able to predict that result with much certainty, and knowing that the majority will have the compliance due to common pledges to the party, they raise funds and gain servile followers on the pledge of the gainful use of the supreme power they expect to grasp.

I repeat that I cannot even briefly explain any of the several methods by which independent, uncompromised voters from all parts of a great city may be provided with facilities for freely uniting and electing faithful representation of themselves. The cumulative method is well adapted where the great city is divided into a few large districts; as it allows each voter to cast as many ballots as there are candidates to be voted for in the district, and to bestow such portion of them upon each candidate as he pleases. No party machinery, no brokers and jobbers in political influence, can control such an election; and those having the larger number of votes are pretty sure to fairly represent the free choice of the people.

The method of *liste* voting, according to which the whole city votes on general tickets as one district, may, with a little more complication in counting, be made still more effectually to secure such results. To both these methods, every old party hack, every aspiring young demagogue, and every venal voter, we may feel sure are equally and desperately opposed.

11. The same course of reasoning, which leads to the rejection of the party and small district-system of governing cities, admonishes us to abandon the idea of securing a salutary sense of official responsibility in cities through any fear of losing the respect of the party managers. It would be easy to show from the experience of New York, Philadelphia, Brooklyn, and Chicago, that no party action or influences in either city has ever tended to promote fidelity on the part of city officials. On the contrary, the most notorious offenders on the bench, in the commissions and the councils, and through all the grades of clerkship, have been the leaders and favorites of the city parties themselves. So emphatically has this been the case, that membership of opposite parties has been no restraint, and the very leaders of the opposing parties have bribed and salaried each other out of the common fund procured by common connivance at fraud and pillage. The fact is that the sense of responsibility which our city party-methods of frequent elections in small districts, encourages and relies upon, is nothing more nor less than a city officer's fear of the district caucus that nominated him. And his fear of that caucus is but another phase of his fear of the great central caucus and its managers. These city party caucuses are little better than nuisances. They do not enlighten public opinion; they do not conduct any instructive debates; they do no hold up any high standard of public duty; they do not tell their nominees that they have a responsibility to the people; they

continually insist that the caucus is the people and has the sole right of conferring office and of demanding official obedience. The feeling of responsibility we need to encourage in city officers is that which has supreme regard to honor, to justice, to the higher pecuniary interests and the nobler sentiments of the people, which defies party and withstands the caucus and its selfish leaders. This feeling of responsibility is quite as likely to govern the conduct of the man who is in office for several years, as of him who must confront the caucus leaders and followers at the polls at the end of a few months. I am persuaded that our method of annual city elections is by no means favorable to that manly and non-partisan sense of official responsibility in city offices which all good men so much desire to develop. There are no annual changes in city affairs, analogous to the changes of the season, which make it convenient to raise an annual crop of aldermen and mayors as we do our annual crops of beans and cucumbers. Many an upright and able citizen, who would shrink from the ordeal of an annual city election, would if once in office, bear himself with a strength and purity which would command general admiration. Nowhere do we secure a nobler sense of official responsibility, of fidelity to all that is pure, wise, and admirable, than upon the bench; and nowhere in judicial places is that sense of responsibility so high as with those justices and judges who serve during good behavior. The fact is, that our entire theory of securing a salutary sense of responsibility on the part of city officers as the result of annual elections needs a revision; and we shall probably come to the conclusion that where no annual party policy is to be carried out, where no principles of government are involved, where only a great mass of business is to be uniformly conducted on business principles, where experience in city affairs is one of the higher qualifications, that we need methods under which competent business men can, year after year, conduct the city administration under a sense of responsibility to the courts and the higher public opinion, but with small regard to the party majority or the pending elections. The kind of responsibility we ought to increase is that which shall cause a city officer to dread the courts and the juries whenever he is guilty of any offense; which shall cause him to fear the public press and the censure of his honest neighbors, irrespective of party, whenever he is wanting in fidelity and efficiency.

Frequency of elections will not secure such results. There is nothing that mercenary partisans and jobbers in politics would

more desire, than that all city officers should be elected in little districts once a month, and nothing would so effectually keep all honest men from the polls.

There are several methods of increasing this salutary sense of responsibility. One of them is by providing for a more complete publicity of official action and motives and greater responsibility to the courts. The new charter for New York contains some valuable provisions of this kind. All the doings of the city officers are to be printed in an official journal to be published by the city, and upon the payment of a small fee, any citizen is entitled to a transcript of the records of any city department. But a far more valuable and original provision is one which entitles any five citizens, making complaint of official delinquency believed to have been committed or to be intended, to have an order of a judge of the Supreme Court for the full and prompt examination under oath before such judge, into all the facts concerning the delinquency they have charged; and if their charge is found to be unwarranted, its authors may be amerced in costs. This provision, available to any five city voters, cannot fail to be a great terror to corrupt city officials; and had it been in the former charters it would, I doubt not, have rendered the deliberate preparation of the great frauds on the treasury in New York and on the ballot in Philadelphia, impossible. A partisan official will dread this sort of responsibility more than he will all the caucuses and party managers of his city.

A further provision of that charter, which will aid the best sense of responsibility, is one that prevents city advertising being given to any other than the official journal, so that for the first time there will be an unsalaried, unbribed press, free to criticise official action in the city. Heretofore, our city press generally has been in the pay of the city treasury, which the city party controlled.

But of all methods of securing a proper sense of responsibility in office — that is of causing official duties to be well performed — that is the best which contributes most to secure honest and intelligent public servants, and leaves them most at liberty to regard their sense of right and public duty. Such results can never be obtained until the true principles of civil service reform are applied to our city affairs.

What the nation has required of the officers of the army and the navy, what New York has required of her policemen and firemen, what common experience and safety demand in respect

of teachers, pilots, and engineers, what every man of business requires in regard to all his employees, — that is, an adequate measure of personal qualification for the work to be done, — we must require of every city clerk; and we must also provide that, within some reasonable term of service of considerable length to be clearly provided and understood, such clerks are not to be dismissed, except for demonstrated inefficiency or infidelity. And inasmuch as the heads of departments are not, like private individuals, left unmolested by meddlesome politicians and corrupt place seekers, to select the best clerks and to retain them so long as they are faithful, we must establish and enforce clear and rigid rules for the selection and dismissal of such clerks. Let city politicians once comprehend that no mere political influence can put in or put out a city clerk, and half the baneful heat and nearly all the corrupting spoils of a city election will disappear. Let city clerks once feel sure that, so long as they serve faithfully, they need not fear a dismissal, and they will no longer mingle in every party struggle and will no longer fear any offense but those against honesty and efficiency. It will not be desirable to create any permanent tenure, but clerical positions in cities should be for so extended a term as not to deter men of good capacity from seeking them by such honorable methods as shall in themselves be certificates of high claims upon public respect. The people are entitled to have, and are far more deeply interested than they generally appreciate in having, upright and capable men or women in every place of public trust and duty. In no way have we, as a people, done such injustice to ourselves, or contributed so much to bring our institutions into disrepute, as by opening our places of public honor and service to every applicant, without adequate conditions of mental capacity or moral worth. We degrade every official place, when we declare every political bully and every servile partisan worthy to fill it. The dignity of the city and the honor of its people, the character they most admire and the attainments they most desire to encourage, should be reflected by every one in the city's service.

We owe it as a duty to our virtuous and studious youth, to the great cause of public safety and morality, to the free institutions under which we live, that hereafter no practicable efforts shall be untried to associate the ideas of honesty, intelligence, and fidelity with all the methods and influences, recognized by the laws of the land, through which public places, high or low, state, national, or municipal, may be either gained or held. The new charter of

New York, without providing any qualifications for municipal service, has provided that no regular city clerk shall be removed until after he has been afforded an opportunity to answer anything charged against him; and the cause of his removal must be entered of record. And I trust it will not be long before the enlightened city of Boston will have no policeman, regular clerk, or servant, whom mere personal or party favoritism gave a place or can remove. Boston ought to confer upon the nation the blessing of such an example.

Let all our mayors be able to say, as the prime minister of England has said, that "no party influence or personal favor of mine can appoint or remove a clerk in one of the departments; but each must come there through merit, and be removed for cause alone," and the scandals of our municipal administration will be at an end.

12. It now only remains to state the general frame of city government which these views suggest.

Much of course depends upon where the line is drawn between the subjects which are retained by the state (or nation), and those which are allowed to the city. And on these points there is great diversity. The police and the public health are departments generally conceded to our cities, but I think we shall, before long, follow the English example, at least so far as to enact a general system of police and health laws, to apply throughout each State, with special adaptations to the villages and cities.

In our attempts to model great city governments after those of the states or the nation, we must bear in mind that a city has properly no judicial department, though Boston is the only great American city not cursed with the power of selecting its own judicial officers; that the sphere of city legislation is very dependent and narrow; that the great bulk of what is to be done closely resembles the more detailed duties of one of the state or national departments; and that hence the administrative departments of a city may greatly exceed all the others in complexity and extent.

13. The proper division of powers in a great city, would seem to be between an executive department, a legislative department, and administrative departments.

The powers of the mayor, so far as they extend, may well be defined in close analogy to those of the President of the United States. His term of office should not be less than three years;

for more frequent city elections are of no benefit in themselves; and in view of the time required to become familiar with the administration of a great city, that period is too short rather than too long; and there might be an improvement in the same direction, if, as in England, only members of the board of aldermen were eligible to the office of mayor. More able men of honorable ambition might be induced to go into that board, and honorable service there would be better encouraged and rewarded. The mayor should in no event be a member of any one of the administrative departments. Such membership is liable to the double evil of involving him in their jealousies and quarrels and of blinding him to their delinquencies. He ought to keep himself familiar with all their doings, and to be held responsible for the quality of the members appointed to the administrative boards and for securing vigor and honesty of administration at their hands; but he should neither have any part in such administration, nor any right to appoint or remove the subordinates in their departments. The power of nominating all heads of department and of removing them for cause, among which causes should be habitual neglect and inefficiency in office, will always enable any worthy mayor to acquit himself of such responsibility. In this sense, the people may justly hold the mayor responsible for the good government of the city. Public opinion must compel him to remove every inefficient or corrupt member of the administrative boards. No popular vote or party action is needed for that.

14. Our old, royal method of having two boards in the legislative department should, I think, be abandoned, as it has been in most of the great cities, both East and West. The new charter for New York has rejected the traditional second board in that city, and has provided only for a board of aldermen. But to secure in that body the adequate knowledge of the action of the departments and the wholesome influences that come of free debate in the presence of those who ought to be held to a high responsibility, that charter has followed the analogy of England and of the Federal government of Switzerland, by making the heads of the administrative departments *ex officio* members of the board of aldermen, with full right of discussion but with no right of voting; thus affording the first example, on this side of the Atlantic, of a method which Mr. Bradford and others have so earnestly desired to see applied to the general government. The narrow power of adopting ordinances, which the legislature may

set aside and the courts may declare void, has little analogy to the State's prerogative of making laws. The main functions of a well constituted city council are to debate and vote the tax levy, to confirm or reject nominations, and to conduct inquiries into the abuses of the administrative and executive departments. More than one board tends rather to divide and impair the sense of responsibility in performing such duties and to discourage and disgust the people, by presenting too many candidates, and requiring too frequent elections. Two boards are at least as likely as one to vote proper taxes; and there is no occasion in city affairs for the long deliberations between two bodies, which are required for enacting laws. In no event should the members of the city council have any share in expending the money they raise, or any part in discharging the administrative duties of those officers whom they confirm. There is every reason of principle and safety (notwithstanding so much success in Boston upon a contrary method), why a city alderman should not interfere, save for investigation, with the details of applying money and of doing city work, that there is why committees of the State legislature and of the national Congress, should not carry on the practical duties of the departments; and I believe no great city will ever be long well governed where such confusion and incongruity of functions are allowed. The legislative council should have that independence and fearlessness for criticism in debate concerning all city expenditures and work, which can only be secured when its members have no real participation and hence no compromises or commitments in regard to such expenditures. The branch of the government that votes the money should never expend it; the officers who make the laws or ordinances should not be those to execute them; unless in villages, and in cities so small that every citizen is a competent general critic of the administration.

15. It is of great importance to discourage any attempt, through a partisan or mercenary organization, to grasp the entire control of the city government as the fruit of a single victory at the polls; and for this reason, as well as to avoid the evil of too frequent elections and too little experience in the council, the terms of the members should be for four or six years and they should be so classified that no more than one half or one third shall expire at any one time. By providing that only the Mayor and the members of the Common Council shall be elective officers, there will be adequate opportunity for the expression of the pop-

ular will, and elections will occur only biennially. And when a few more villages are added to her territory, and the increase of foreign elements shall have raised her population into the last half of a million, I am persuaded that even annual-election-loving Boston will become convinced that every alternate year is often enough to take a hundred thousand dollars from the treasury and a hundred thousand voters from their work, for a city election which settles no principles and changes not a line of the charter by which the officers who manage city affairs should be governed.

16. We have only left for consideration the administrative departments. What shall be their number, their respective functions, the tenure of their officers, their duty and the manner of appointing and removing such officers? The number of departments must depend on the scope given to the city government. But such departments as those of Education, Health, Charity, Finance, Law, Police, Water Supply, Parks and Public Works, are pretty sure to be among them. Important questions arise here whether the functions of all of them should be in the general charge of a single board of administrative officers or there should be a separate board for each department; and whether, if the departments are clearly separated, there should be more than a single commissioner at the head of each. If something could be gained in apparent simplicity and expense by placing all under one board I think more would be lost in special fitness and experience, and that each commissioner, in a board of general duty, would feel a less salutary pride and sense of personal responsibility, than if a member of a separate board. The law defining the duties of the departments ought to provide for joint meetings of all the commissioners with the Mayor, after the analogy of cabinet meetings, and for such coöperation as shall prevent doubts and conflicts of jurisdiction. Were it not for the danger of partisan supremacy, and for the combined judicial and ministerial character of a great part of city administration, one commissioner in each administrative department might be sufficient, and there is also a greater publicity and assurance of honesty and wise deliberation in having two or three commissioners for each board compelled to act together. By making the terms of their appointment three or six years, with proper classification at the beginning, experience and steadiness in administration would be secured; and each mayor, reflecting the popular will, would have, during his term, the opportunity of renewing one half or one

third of the members. Removals by the mayor for cause, and after hearing before him, should be provided for; and among such causes should be habitual neglect and inefficiency in administration. It might not be unwise, perhaps, that the sanction of the governor should be required for a removal, as is the case under the new charter for New York.

The authority of the city council ought to extend to making ordinances, in the spirit of the charter, for carrying on the work of the entire city government by such commissions, thus a step removed from popular elections, as the work of the national government is carried on in the great departments.

Commissions, by preserving a continuity of succession and experience, by demanding concert of minds and preventing secret and arbitrary action, by requiring public votes and permanent records, by neither too much concentrating nor too much diluting individual responsibility, have for generations vindicated their utility in many departments of the freest countries of the old world; and have, with the increase of population, been more and more introduced into every large American city, and into several departments of a majority of our State governments. In new York City, they have been the main resource in every struggle for reform; and, as a rule, the men nominated to fill them have been superior to those officers selected by popular vote. It is an instructive fact that the great frauds and robberies of the treasury in New York were confined to those departments — the Executive, the Financial, and the Board of Works — in which alone, there was only a single commissioner.

The views set forth and the general frame of government herein suggested involve several other important modifications of our customary methods to which no allusion can now be made.

17. I am persuaded that the more we consider the possible methods of combining and utilizing for the public good, the intelligence and virtues we have in our great cities, the more we shall be convinced of the guilt and loss involved in our habitual neglect of such studies; and the more we shall be impressed with a sense of the profound relations they sustain to the deepest problems of human nature and social life. If this Association could cause to be prepared and submitted to our people the model of a great city charter best adapted to the intellectual and moral condition of our city population and to the genius of our political system — if it could even be the agency through which the anxious experiments and frequent debates now going

on in all our great cities could be made to shed a common light upon each other and to mingle their common wisdom in a matured plan — an inestimable blessing would be conferred upon the whole country. To deepen religious convictions, to improve the morals of the people, to extend the sphere of education, are indeed the greater works of statesmanship; but next to them and very near to them in importance, is the duty of so organizing the conservative forces we have, that they shall, in the fullest possible degree, promote what is good and discourage what is bad. Any people, failing in this, stand self-condemned, and can have no right to expect the confidence of the friends of liberal institutions in other countries. We can claim but little respect from other nations, or have but little for ourselves, if we give birth to and encourage only a disorderly, unscrupulous, unthoughtful spirit of progress and arrogance, which is content to sprawl its activities over vast spaces, to build up rowdy, immoral cities, to boast only of countless acres of land, of unrivaled millions of people, of inexhaustible wealth squandered in vulgar private extravagance and ill-managed public works. The permanent hopes and the real glory of our country will be far better assured, if the time shall ever come when, instead of boasting of the rapid growth and the wealth of our cities, we shall boast of their order and their morality; when the praises now bestowed on the splendor of their buildings and the increase of their population, shall be bestowed on the decrease of their vagrants, their criminals, and their illiterates; when it shall be thought a greater honor to bring one old city under a really good government than to found ten new cities, than to add five new States to the Union, five millions to our population, or five hundred millions to our riches.

Of all valuable productions possible under our political system, of all things at once the most creditable to our wisdom and the most auspicious of our continuing safety, nothing can bear comparison with a great city, well governed. If we can produce and maintain such a city, republicanism will be vindicated before mankind, and its ambition to rule the world will at least not create alarm among honest people. Abundant wealth, irresistible physical power, the largest population that ever bowed its neck to any human sovereignty, are providentially assured on our soil, if we shall but make our government worthy of this vast country and the varied races that will people it. But it never can be worthy, if we allow our great cities to become modern Babylons and Ninevehs, whence all kinds of human

debasement, as from inexhaustible hot-beds of iniquity, shall send forth corrupting influences, in all the varieties of demoralizing fashion, in all the forms of personal immorality, in records of licentiousness unrebuked and crimes unpunished, in journals of pictured indecency and advertised debauchery, in examples of low commercial character and flagrant official infidelity, to poison the sweet valleys, corrupt the virtuous homes, and blight the honor of the country.

HIGHER EDUCATION OF WOMAN.

A PAPER READ BY T. W. HIGGINSON BEFORE THE SOCIAL SCIENCE CONVENTION, MAY 14, 1873.

IN Broad Street, St. Giles, London, there is or was a sign inscribed, "The Good Woman," with a painting of a woman without a head. It seems a simple and rudimentary joke enough, but it condenses in a few square feet of space the opinions of many of the greatest men. When Lessing said, "The woman who thinks is like the man who puts on rouge — ridiculous;" when Voltaire said, "Ideas are like beards — women and very young men have none;" when Niebuhr thought he should not have educated a girl well, for he should have made her know too much, — these eminent men simply painted, each in his own way, the sign of the Good Woman. Dean Swift perhaps carried the argument a step further when, in describing a certain casualty, he summed it up, "So many souls lost — beside women and children!"

Over the doors of most schools for women up to the present time this figure of "The Good Woman" might still be painted. Even within the walls, among the mottoes designed to excite her intellectual ambition, one is sometimes reminded of the hall visited by Britomart in Spenser's "Faerie Queene;" over three sides is written, "Be bold," but on the fourth side, "Be not too bold." The English "Schools Inquiry Commission" of 1868 reported as one of the greatest obstacles to the education of women "a long-established and inveterate prejudice that, as regards their relation to the other sex and the probability of marriage, solid attainments are actually disadvantageous rather than otherwise." The same impression still lingers among ourselves. Walking down the street with a Greek book under my arm the other day, I joined a lady who asked to see the book. She examined it with interest, read some lines aloud, and sighed as she gave it back. "I liked Greek better than anything I ever studied," she said, — and I knew that her father, a clergyman, had been rather an eminent scholar — "but my friends of both sexes thought it unwomanly, so I gave it up." It brought back to me the old complaint of Queen

Christina to Madame. Dacier, "Such a pretty girl as you are; are you not ashamed to be so learned?"

The higher education of Woman is in this respect also like one of Spenser's palaces in the "Faerie Queene," that it is guarded by a series of ghostly sentinels, all individually powerless as you approach, but collectively formidable to the imagination. There is a series of fallacies, each of which has been exposed a great many times, but still they rear their heads, unconscious of annihilation. Every energetic woman, every man who has had a daughter to educate, has encountered and overcome them; still it is impossible to approach the subject without at least recognizing their existence as you pass. They resemble those Portuguese soldiers who used to be instructed to attack the enemy "with ferocious countenances," and like those traditional soldiers, they seldom stand fire.

I. One of these fallacies, for instance, is that which confounds the laws of sex with the laws of digestion. Man and Woman being different sexes, says some physiologist, must obviously require different intellectual diet. Why so, if they do not need different physical diet? If we go home and dine with the physiologist, we find him politely assisting his wife to soup, and his daughter to roast mutton, ignoring the fact of sex. His own dinner-table refutes his theory; his knife is sharper than his logic, and his joints of mutton disjoint his argument. Sex is certainly as marked in the body as it is anywhere. Yet nature shows an essential identity of the digestive system in Man and Woman. If this is true of the body it would seem to be true of the mind. To say, boys study Greek and mathematics, therefore girls, being different, should not, is as if you said, boys eat beef and potatoes, therefore girls, being different, must find something else to eat. I resist the argument of the physiologist, therefore, till I see him prohibiting his own womankind from the dinner they have superintended, and restricting them to the judicious dry toast and the enlivening teacup.

II. Another of these ghosts of objections is the assumption of the hopeless intellectual inferiority in the case of women. I call it an assumption, because there is no class of facts directly sustaining it, and the class of facts which have most to do with it — the records, that is, of our public schools — look just the other way. The school superintendent of my own city said to me: "Those who theorize on public schools without personal knowledge imagine us to be constantly taxing the powers of the girls to keep them up to the standard of the boys. It is the other

way; my whole struggle is to keep the boys up to a grade which the girls maintain without difficulty." I myself remember, in a city where we had twenty prize medals for the high school, that two thirds of the pupils were girls, and all our effort was to keep the girls from getting three quarters of the prizes. Girls are so quick-witted, they have so few distractions compared to boys, and their school constitutes so much larger an interest in their lives, that they unquestionably hold their own, and it may be a little more than their own, in our high schools and academies. It is a pretty safe inference that they will not drop far behind in university studies, and I am disposed to adopt as a general formula that certificate given by the school committee of a New Hampshire town to a teacher: "This is to certify that Fanny Noyes stands on a medium with other girls of her age and sex, and for what I know is as good as folks in general!"

Heine has pointed out, in his "Reisebilder," that the young men of these days are very severely taxed. They have so much to keep in their heads he said — whist, politics, genealogies, the liturgy, carving, and all sorts of things — that it is no wonder they forget their mathematics and history. From some of those distractions, at least, young ladies are free; even the demands of dress do not quite fill the place of these. And as for the demands of society, we must remember that these are only felt severely among a very few hundred or thousand, in a few large cities. In almost any town in New England the obstacle in the way of a studious girl is not want of time, but want of teaching and encouragement. So long as she is allowed to stay in the high school, she holds her own, and she stays so long that it taxes the ingenuity of the committee to get rid of her. During the short-lived experiment at a high school in Boston in 1826, it was made a serious charge against it that the girls would not leave it. Good President Quincy said with plaintive earnestness: "Of all those who entered the high school, not one, during the eighteen months it was in operation, voluntarily quitted it, and there was no reason to suppose that any one would voluntarily quit it for the whole three years, except in case of marriage." Strange to say, this was what killed the institution — this preposterous pertinacity — this love of knowledge which refused to leave school for anything short of honorable wedlock! The school had to be abolished in order to graduate the class; a method too suggestive of Charles Lamb's "Dissertation on Roast Pig" to be generally desirable.

III. The third fallacy may be said to be that of hopeless physical inferiority. This is a fallacy not very prevalent, so far as I know, among those concerned in teaching, but more common among physicians. To expose it properly perhaps needs one who represents both professions. I am not a physician, except in the sense in which the proverb says that every man of forty is either that or a fool; but I have been for years familiar with the public school system, as applied to girls. And if I were not, I think that so far as the medical argument is *à priori* or theoretical (and it is chiefly that), I should meet it as one of the best physicians I ever knew met Michelet's celebrated work, in which he maintains that every woman, by mere structure, is a life-long invalid. My friend wrote indignantly at the end, "As if the Lord did not know how to create a woman." All the physiologists in the world would not convince me that, in case of women any more than of men, desires are essentially disproportionate to destinies. If nature has made woman wish for education, nature has given her, as a rule, the physical power to obtain it.

And so far as the argument from this source is based on observation, I have as yet seen no array of facts that bear upon it. So vague an argument as that there is a great deal of ill-health among women, therefore they ought not as a class to be well educated, can hardly be attributed to any man of scientific reputation. Even to say that there is more of this ill-health in New England than elsewhere, and that New England is better educated, and that these facts must be connected, is very vague reasoning; it is the fallacy *cum hoc, ergo propter hoc.* New England commits other sins besides education. New England also eats a great deal of unwholesome food; New England has a trying climate; and I know a sensitive gentleman who has left Boston because the wind blows there, and the streets have so many corners. Moreover, I can show you white populations in the United States where the women are innocent of the alphabet as they were of soap and water; and yet the sickliest town in Massachusetts produces healthy women compared to these. When it is proposed to cut off all our daughters from thorough education in order to save their lives, we have a right to more definite facts before we decide to reduce them to the condition of "The Good Woman." Show your statistics of connection between education and the death rate. If education is on trial for its life, it is entitled, with every other criminal, to be held innocent till it is proved guilty.

Statistics of the sort I mean are certainly within reach. There are towns in New England where, for more than a generation, the standard of education for girls of the public schools has been exceptionally high. I know one town where I assisted in examining, nearly twenty-five years ago, a class of girls and boys, in mathematical studies more difficult than those pursued by nine tenths of the Harvard students — analytical geometry and the calculus. Those girls are now wives and mothers; their vital statistics can be ascertained, and the vital statistics of that whole community. There are other communities — I am sorry to say that Boston is one of them — where there has been no high school for girls till a much later period. Let the physiologists who deny the possibility of female education collect and compare the statistics, setting these towns side by side, giving tables of education and mortality, and showing that health increases with ignorance, and disease with knowledge. Is it too much trouble? In England there is such an interest in physical training, that the author of a late book on "University Oars" has taken the pains to write to every man who ever pulled in a regatta, and ascertain his physical condition. And yet physiologists will condemn a whole generation of girls to ignorance without collecting in any definite form the facts that must determine the question. It is not enough to give the verdict. It is a matter of such importance that we have a right to see the evidence.

Then there is another class of facts easy of collection. There are colleges that for thirty years have educated men and women side by side. The pupils of these colleges, coming from all parts of the Union, exclude from the result all the disturbing force of climate and local habits, and afford a fair basis of calculation. We have one table of statistics on this point from the oldest college where joint education is practiced. President Fairchild, of Oberlin, has tabulated the records of deaths among Oberlin graduates for more than thirty years. "Out of eighty-four young ladies who have graduated since 1841, seven have died, or one in twelve. Of three hundred and sixty-eight young men who have graduated since that date, thirty-four have died, or one in eleven. Of these thirty-four, six died in the war, and leaving these out, the proportion still remains one to thirteen."

What we want, of course, is the facts. That the pressure is too great on both sexes in our public schools I have always believed. I believe that the school hours should be shorter and the amount attempted less. But the chief pressure is exerted

before we come to higher education at all. As we grow higher the scheme of study grows less rigid, and he who supposes that any enormous outlay of health or strength is required at present to go through Harvard College must have had less experience than I have lately enjoyed in visiting officially the class-rooms of my *Alma Mater*. The simple fact is that the whole tendency of our higher institutions is to make the course of study more and more elastic, adapting it to the tastes and strength of each; and I speak of what I know in saying that I would far rather trust the health of my daughter at Harvard College, than at a first-class Boston Grammar School. Individual instances do not decide the question. The first scholar in my own class broke down in health and left college. The first scholar in the class next mine died soon after graduating. That somnambulic boy, bearing the appropriate name of Wilfred Fitts, who is now in jail for assaulting his comrades with knives at night, is now declared to have been injured by over study, and the daily session of the Lowell High School has been shortened one hour in consequence. So there are doubtless girls who will be made sick or somnambulic if they study too hard. These we can estimate. But against these we must set those other cases, less easily ascertained, of girls who now sink listlessly into disease from the vacancy of mind that education could fill, or the vacancy of heart that education would supply with nobler objects. If I seem presumptuous in pleading those more subtle possibilities against physicians, who, no doubt, are on their own ground sufficiently my superior to put me to death with one potion and bring me to life with another, yet I cannot forget the class of clients for whom I plead; young girls, such as Tennyson describes: —

> "In glowing health, with boundless wealth,
> Yet sickening of a vague disease."

Young girls, such as Dr. Johnson's heroine in "Rasselas," who "thought she was in love, when she was only idle."

IV. The last of these fallacies is the assertion that there is sufficient provision already. It rests mainly on social narrowness, the assumption that because the daughters of the rich are satisfied with what is called "society," and its delights, there is therefore no class of girls to demand higher education. On this point, my experience in public schools has led me to conclusions different, perhaps, from those held by many who hear me. So far as I can see, our higher advantages of instruction, like those in England, are transferring themselves more and more from the

children of the rich, who do not need them — or think they do not — to the children of the poor, who do need them. No one can look over the rank-list at Harvard, for instance, without seeing this; and I am inclined to think that a great social law — what may be called the law of social alternation — lies behind it. In a monarchical country, it is desirable, perhaps, that eminence and influence should be perpetuated in certain families; in a republic it is better, I suppose, that families should be broken up, interchanged, alternated. One instrument in this social alternation is called wealth. The poor boy must study; the rich boy may or may not; so in the next generation, the poor family perhaps comes forward, the rich family recedes.

If this is true of the sons, it is far more true of the daughters. I remember a radical English lady of rank who, arriving in this country, went first to Newport, in the fashionable season, and began asking all the young ladies if they had been to college. "College!" said one of them, the granddaughter of a very eminent Bostonian, "not a young lady of my acquaintance ever thought of going to college." "But surely there are colleges for women in America?" pleaded the bewildered Englishwoman. "Then it must be the daughters of mechanics who go to them," said the young aristocrat, secure in her monopoly of ignorance, and happily she was correct. Happily, I mean, for what would become of us if there were no class better educated than the young ladies one often meets in the very best of society? That is what English people never can understand in America. In England, the standard of female education is highest in the highest class, and very poor in the middle class. Here, so far as we have such classes, it is the other way. The early age at which girls in fashionable circles go into company, renders their higher training simply impossible. They leave books at about the age when their brothers go to college, and if they get a tolerable share of French and music it is a good deal. The real training of the mind goes to those who do not go to parties, either for want of inclination or for want of opportunity. Every high school even, and, much more, every college, must gather its recruits chiefly from the ranks of the unfashionable. As a rule, the well educated girls in America are, as some novelist says, the daughters of poor ministers and mechanics in country towns.

I have now spoken of certain fallacies to be encountered — the misinterpreting of the law of sex, the alleged inferiority of feminine intellect, the asserted inferiority of the feminine body, and

the impression that there is already provision enough. These are the kind of obstacles that we have to pass before we reach the higher education of women. Fortunately, when reached at last, it turns out a very simple thing. The question of intellectual education is not one thing for Man and another for Woman, any more than the question of healthful diet is one thing for Man and another for Woman. When we have separate treatises on the laws of digestion for the two sexes, it will be time enough to have separate treatises on the education of Woman. Whatever is best for the mind is best for the feminine mind. All the questions of modes of instruction, kindergartens and object lessons, science and literature, Greek and German, required and elective studies, — all these must be essentially the same for Woman as for Man. All the problems of education seem to present themselves in the same way at Harvard for boys, at Vassar for girls, at Michigan and at Cornell for the two united. The logic of events is sweeping with irresistible power to the union of the sexes for higher education. West of the Alleghanies, as even its opponents admit, public sentiment is irresistible in its favor, and east of the Alleghanies the tendencies are all one way. The tide is sweeping in, — the smaller New England colleges are swept away, and if the others do not follow, the promised Boston University with its vast endowments will soon make it unimportant whether they follow or not. The exhaustive reports of President White of Cornell, and of the Rev. Dr. Clarke of the Harvard overseers, — reports to which it is useless to add anything, since nobody has yet attempted to answer them, — have established one thing, — that all the testimony of experts is in favor of joint education. With hardly an exception the doubts and fears are from those who have not tried it, and the indorsement and approval from those who have seen it tried for years. In the public schools and academies, where the influence of actual experience is felt far more closely than in our colleges, the tendency is all one way. We often hear of separate schools being abolished and joint schools established. This has taken place in every town where I have been on the school committee, three in number; but neither in these towns, nor in any other, have I so much as heard of a proposition to change the other way. If anything is certain in our public school system, it is, that the sexes, once united in a school, are united forever. This is a popular verdict, from which there is no appeal. In our incorporated academies, too, the system of joint education has prevailed for nearly a century: and

I cannot conceive why every atom of experience gained there is not directly available for our colleges. As between the two, the age of the pupils does not greatly differ, nor do the studies. If, now, two or three hundred young men and women of eighteen or twenty can dwell together in peace in an academy, why does the whole experiment become perilous and alarming when you change the name, and call the thing a college?

The system of elective studies, which is destined, I am sure, to prevail in all our colleges, is working clearly in the direction of the joint education of the sexes. The greater subdivision of classes makes abundant room in the class rooms, and the elective system gives plenty of opening for the special bent, if there be such a thing, of the feminine intellect. It also meets the assertion that the system of education for Woman should be more elastic than for man. If it is possible for a man to render direct and important service to a cause which he thinks himself heartily opposing, I should say that President Eliot is that man, and the joint collegiate education of Woman is that cause. I have no doubt that good Madame Boylston smiles at him from her canvas on the walls every time he passes through the reading-room, and that she already looks forward to the time when she will not be the only person of her sex present, among so many men, at the Commencement dinner.

When the time comes for equalizing the opportunities of the sexes we shall begin to do retrospective justice, at least, to the intellect of Woman. We shall see that she has done herself credit by even what she has effected already under the pressure of constant discouragement. Man has preserved the traditions of a coarser period, when brute force settled all questions, into the period of intellect, and has tried to make intellectual achievements also a matter of mere weight and size. In the French grammar they speak of the masculine as *le sexe noble*, "the noble sex." Man has assumed himself to be noble because his epoch of superior advantage came first, not seeing that the whole theory of evolution looks the other way. In all history the later development is the nobler, and if Woman is now relatively gaining on man, as seems unquestionable, then it is rather for man to be anxious about the future. Already he sees Woman here and there beating him on his own ground, where he was once safe from all competition. In Shakespeare's time, women did not appear upon the stage; and it was considered an achievement beyond her sex when Fanny Burney wrote a novel. Now, "the

survival of the fittest" has left Rachel and Ristori without peers in the one department of art, and George Sand and George Eliot in the other. Are we so sure that we hold our chemistry and our mathematics by any firmer tenure? *Les races se feminisent*, I do not wish to boast too much of mere priority in time. This sort of geologic precedence has its perils. It would not be pleasant to have Woman end by shutting up "the noble sex" in ice, like an extinct mammoth. The mammoth, no doubt, had his own sense of superiority, and regarded the introduction of the puny, sharp-witted elephant as a reform against nature.

The thing that perpetually neutralizes all claims of chivalry, all professions of justice, all talk of fairness as between the sexes, is the lingering policy of exclusion in regard to Woman. She is excluded from training, and then told she must not compete. If admitted to compete, she is so weighted by artificial disadvantages that she cannot win. It would rather seem that if her brain is inferior, she should be helped; if her natural obstacles are greater, all other obstacles should be the more generously swept away. Give girls a chance at high school, they use it, and they equal boys in scholarship; in our academies, in our normal schools, there is no deficiency on their part. Probably there never will be so many young women in our colleges as young men, for they will be less driven to study for the sake of a livelihood; but if there are few, so much the easier to provide for them. The late successes of the young English ladies, pupils of Girton College, — who have undergone at Cambridge severer examinations than any American college offers to young men, and have come out successful, — show that there is no danger of putting our educational provisions too high. Harvard pays from various pecuniary foundations some $25,000 annually to young men, that they may consent to come and be taught. Can she not make room for a few young women, who ask only permission to pay their own bills, and receive no charity? Do let us be at least as generous as a certain school committee in Massachusetts, who said lately, in their report in regard to a vacant school, "As this place offers neither honor nor profit, we do not see why it should not be filled by a woman."

RESTORATION AND REFORM OF THE CURRENCY.

READ AT THE GENERAL MEETING IN BOSTON, MAY 14, 1873. BY JOSEPH S. ROPES.

A CORRECT measure of value and a sound medium of exchange are among the first requisites of modern civilization. The theory of money and currency is essentially simple and intelligible, but its practical application has been so complicated and hindered by various causes, that the whole subject has become one of the most perplexing problems of the present time. I shall, therefore, make no apology for beginning with the most elementary statements.

1. Money, technically defined, is the measure of exchangeable value, as a yard is a measure of length, or a gallon of capacity. The form and material of all these measures may be various, but the one condition indispensable to each of them is, that they possess, in a fixed and definite degree, the quality which they profess to measure. A yard-stick must have a certain length, a gallon must have a definite capacity, and a pound a definite weight. So money must possess a definite exchangeable value of its own, or it cannot measure other values. In other words, it is the one commodity selected as the standard by which to appraise, compare, and exchange all other commodities. I need not inform you that, by the universal consent of modern civilized society, the commodity chosen for this purpose is the precious metal called gold; supplemented, to a certain but subordinate extent, by silver. The form of coins in which these metals circulate as money, and the government stamp which certifies their genuineness, are adopted for the convenience and protection of the public, but do not add to their intrinsic value.

2. Though money may always be used as a medium of exchange, a medium of exchange need not always itself be money. Sheep and oxen, corn or cotton, in short every kind of commodity may answer this purpose, at least temporarily, especially in a rude community, or in any community during a temporary scarcity of money, as we ourselves experienced in the year 1857. But apart from such exceptional conditions, the only supplementary medium of exchange recognized by modern civilization is *credit* in various forms. It is obvious, for instance, that if my neighbor supplies my family with food, while I supply his family with clothing, and if the amount supplied by each is constantly equal in ex-

changeable value, no money need pass between us, though every transaction is as strictly measured by it as if it did. An exchange of receipts at the end of the week, month, or year, is all that is needed. Supposing our mutual indebtedness unequal, the difference only will be paid in money, so that mutual debts of hundreds or thousands of dollars may be settled by the payment of ten or twenty dollars in money.

Suppose now that all the money of every member of the community were deposited in a single bank, or in the government treasury, and all payments made by giving orders on the bank or the treasury, or by certificates issued for convenience by the bank and the treasury themselves. It is evident that under these circumstances no money, or next to none, would circulate in the community, as nearly everybody would prefer the more light and convenient certificates and orders (let us call them notes and checks) to the heavy bags of coin. When a merchant or a banker had occasion to send money abroad, he would of course demand it at the bank or treasury in exchange for paper; but by far the greater part of the money deposited there would remain idle, being represented, for all practical purposes, by its paper substitutes in the hands and pockets of the people. Under these circumstances, it would evidently be possible and safe for the bank or the treasury to lend a large part of the money thus deposited, on good security and profitable conditions, to any foreign government or banker or merchant: and the whole of this coin might thus be exported, not only without the slightest injury to ourselves, but with manifest advantage; *provided, only*, that in no case there should fail to be coin on hand and in readiness to meet every demand against the bank or the treasury which could possibly be presented. In this state of things the medium of exchange might be almost exclusively paper; but the exchangeable value of all commodities and all transactions would continue to be measured by gold coin as strictly and accurately as if nothing but gold coin were in circulation. Otherwise, the smallest difference between the coin and its paper representative, would cause the latter to be at once exchanged for the former.

Here then we have, in brief, the whole theory of money and currency. The one is the commodity inherently possessing, and employed to measure exchangeable value: the other consists of claims or promises redeemable in money, and circulating for convenience and economy in its place. To answer its purpose perfectly, this currency must be absolutely certain to be promptly

redeemed on demand, and there must be an absolute conviction of this certainty in the community where it circulates. All beyond these fundamental conditions is mere matter of detail. We come now to consider the causes which have so complicated this apparently simple subject as to render possible the countless absurdities of theory and abuses of practice which have become almost inseparable from its discussion.

3. The first of these appears to be the very natural, but always dangerous union or combination of two things entirely distinct in their nature and opposite in their tendency — *currency* and *banking*. We have shown that the one great and indispensable requisite of a sound paper currency is, that it be absolutely certain of redemption on demand. The great object, therefore, of the managers of any institution whose sole purpose it is to provide a sound and convertible paper currency for the community, must be first to ascertain, and then with the most rigid exactness to observe, the limits necessary to maintain with the most absolute certainty its immediate convertibility into coin. On the other hand, none of us needs to be informed that the one object of banks and bankers is to make a profitable use of money, whether belonging to themselves or to others, and for this purpose to lend on interest the very largest amount of their credit which they can in their own opinion reasonably hope to redeem on demand. And so long as human nature continues what it is, no one will be surprised to find that bank managers are liable to be sanguine in this respect. In fact it may be safely asserted that the manifold monetary crises, panics, and disasters of every kind, by which we have been so frequently visited, have been caused principally by an undue expansion of bank credit, leading to subsequent violent contraction, and occasionally to a suspension of specie payments. That the same tendency still continues is manifest from the fact that the one conservative clause of our National Bank law, which provides for the maintenance of reserves in the bank vaults, is more and more disregarded, its operation pronounced to be oppressive and intolerable, and its existence and continuation made the object of incessant and vehement attack. And that the ultimate consequences of this tendency, though postponed for a time, are neither averted nor diminished by the suspension of specie payments, may be safely inferred from the steady increase of speculation, the growing scarcity of currency, the frequent and spasmodic changes in the money market, and the unsatisfactory returns of legitimate busi-

ness. The evil referred to is greatly aggravated by the total absence of union or concentration among the banks of our country. Each of them being, of course, anxious to employ its resources to the utmost, has no scruple in throwing responsibility upon its neighbors. One bank will lend every available dollar of its surplus to a broker at call, and when pressed will depend upon forcing from him the necessary funds, which, of course, can only come from some other bank, though the latter may have nothing to spare, and both may be compelled in the end to borrow from some more prudent or less reckless neighbor.

To make our illustration of the theory of paper currency as simple and intelligible as possible, we supposed all the money of the community to be deposited in a single bank or treasury; by which, accordingly, all those paper promises which circulate in the place of money, would be issued and redeemed. The fact is, however, as we all know, that among us these promises are issued by some two thousand national banks scattered over the land, and managed with every possible variety of method, and amount or deficiency of skill and prudence. Under all these circumstances the fundamental principles of currency remain the same, but their practical application is often entirely disregarded, and the abuse of credit has generated evils so frequent and so extensive as to cause many superficial observers to consider them as inseparable from any system of credit or paper currency which can be devised. It is scarcely necessary to remark that a reserve of coin which would be ample to secure the currency concentrated in a single institution, might prove totally inadequate when dispersed among many hundreds, some of which might be overflowing with surplus funds, while others, less prudently managed or less fortunately placed, might be constantly on the verge of insolvency and compelled by the slightest mischance to an actual suspension of specie payment.

4. Another difficulty in the way of maintaining a sound and convertible currency is found in the natural working of the instinct of self-preservation in great emergencies, causing and almost justifying the violation of all the rules of ordinary practice, which seem to interfere with public safety. Under a careless or imprudent system of banking or of mercantile business, the general expansion of credit, public and private, may become so great as to render liquidation impossible, without at least temporary insolvency. In other words, either the paper currency must for a time become irredeemable, or a vast number of debtors, who

depend upon loans of currency to meet their obligations, must suspend payment, and many of them be ruined. In such an emergency the paper currency of any commercial nation, whether issued by the government, whose revenue must depend largely on commercial prosperity, or by bank corporations, whose wealth or even solvency may be greatly affected by commercial disaster, in short, any paper currency whatever will probably become irredeemable, and may even be temporarily expanded on an irredeemable basis, with the tacit consent of the whole community, to enable debtors to meet their liabilities and bridge over their difficulties, which, without such a medium of exchange, might be impossible.

Instances of this kind are, doubtless, familiar to us all. During the French Revolution the Bank of England suspended specie payments for many years. The Bank of France has repeatedly done the same; and those of Russia, Austria, and Italy, have never resumed payment in full. Our own experience in 1837, 1857, and 1862, need not here be described. Where the currency is controlled solely by the government, the exigency is usually caused by a state of war; when issued by bank corporations, suspension is generally the result of commercial revulsions. But that there need be no unavoidable necessity for it under any sound and well managed system, is demonstrated by the perfect success with which specie payment was maintained by the Bank of England during the disastrous crises of 1847 and 1866, as well as by our own experience in 1861. And that even a compulsory suspension of specie payment need not cause any material or permanent depreciation of the paper currency, or any other financial injury, is conclusively shown by our own experience in 1857, and by the triumphant recuperation of the French finances since the late destructive war.

5. Finally, a third, and, in our present condition, most dangerous and alarming hindrance to the establishment and maintenance of a sound convertible currency is found in the general ignorance which pervades the community on this important subject, and which permits the most incorrect, unsound, and absurd theories and assertions to be continually advocated and maintained in the most public manner, with hardly an effort at refutation or rebuke. When a notorious member of Congress and party leader could publicly declare, and that without loss of credit or reputation, such as it was, that a dollar was whatever Congress chose to call a dollar, whether of paper, wood, or leather, what could

be expected of his constituents or his colleagues? When members of the financial committees of Congress propose the adoption of measures of resumption so called, which could not be in operation three months without producing universal bankruptcy; when every thoughtful person who looks below the surface is stigmatized as a theorist, while the most ignorant and incompetent are lauded as "practical men," we may well ask ourselves whence is help to come? The press, which should be, and in many respects is, our greatest safeguard against abuses and injustice, is too often controlled by those whose interests are supposed to be against all reform. Accordingly, theory after theory is put forward to oppose, or conceal, or obscure the honest, naked, unpalatable truth. Causes are substituted for effects and effects for causes, or the existence of both causes and effects is audaciously denied. Propositions which are true only of a sound and convertible currency are unhesitatingly put forward as equally true of one that is irredeemable. Credit is confounded with capital, money with credit, and debt with money. A medium of exchange is treated as equivalent to a measure of value; and the promise of a wealthy government, which it absolutely refuses to redeem, is asserted to be immeasurably superior to all other promises, however promptly and faithfully fulfilled. But I will not weary you with any further enumeration of the illogical, absurd, and dishonest nonsense, which is continually palmed off as financial wisdom upon our much abused community.

6. We come now to consider, as briefly as possible, the present state of our National currency, its relation to the true standard of value, and the best method of restoring it to a sound and substantial basis.

About twelve years ago, before the late rebellion, the paper currency of the country was furnished by local banks incorporated by the respective States, and with a power of issuing paper promises practically unlimited except by the necessity of redemption in specie. Under these conditions, the whole circulating medium of the country over and above the specie reserves of the banks, consisted of barely $200,000,000, with the addition of gold and silver coin, which I should consider extravagantly estimated at $100,000,000 more. The deposits or book credits of the banks, which, as we have seen, form an available portion of the currency, more especially for mercantile exchanges and banking purposes, were of about equal amount, say from $250,000,000 to $300,000,000. The total amount of currency in every form, re-

quired and employed for all the exchanges of the community, with the largest liberty of issue, and limited, as we have said, only by the necessity of redemption, the indispensable condition to the maintenance of its value, and consequently of its efficiency, did not exceed $600,000,000, or twenty dollars per head for a population of 30,000,000. We have no reason to think that the general conditions of the question have since changed, so as to render a larger proportion of currency to population necessary than before. On the contrary, all the information at our command, and especially the statistics of Great Britain, lead us to believe that the improved machinery of civilization renders less and less currency necessary from year to year, in proportion to population. It would seem, therefore, that with our present population of about 40,000,000, an increase of one third upon the currency of twelve years ago, say not exceeding $400,000,000 of National Bank notes and legal tenders (over and above the reserves of the banks), and about the same amount of bank deposits or book credits, would be the utmost quantity of circulating medium which, with a population of 40,000,000, can now be maintained on a par with specie.

The actual currency of the country is of course far beyond this amount. It consists, as we know, of about $400,000,000 of legal tenders, including fractional currency, and $300,000,000 (now increased to nearly $350,000,000) of National Bank notes, making a total of nearly $750,000,000, or about $600,000,000 over and above the legal reserves of the banks. The amount of bank deposits, though fluctuating with the state of trade and speculation, has kept nearly even with this amount, and at the present time exceeds it, making a total of fully $1,200,000,000 available currency, or one half more than we have any reason to think can be maintained at par with specie.

7. It is convenient at this point to notice for a moment an assertion frequently made to this effect, that it is impossible and absurd to estimate with any degree of exactness the amount of currency required by any people; that it must vary greatly with the condition of the people, the state of trade and speculation, the amount of wealth, etc.; that it is not the quantity, but quality of the currency issued which makes it inconvertible; and that nothing but an increase of confidence is wanted to place the whole permanently on a par with specie. Above all, it is repeated and reiterated with much fervor, that we need an "*elastic currency*," one which, like the fairy tent of the Arabian tale,

will expand to shelter an army, or contract without effort to form a lady's bower.

Much of the above is indeed true, but none of it is in any way applicable to the question before us. We may indeed readily admit that the amount both of money and currency circulating in any country may, and indeed must, vary considerably from time to time; and it is, in fact, this power of varying its amount by the withdrawal from circulation of all that is superfluous which constitutes its elasticity, a quality which rightly defined is of the highest importance, but which needs no legislation to secure it, so long as all currency is made redeemable in coin. Just as the exchangeable value of wheat or flour will render its supply elastic, so as with unerring certainty to retain in the country what is needed for domestic consumption, and to send abroad the surplus, whatever may be the abundance or deficiency of the harvest; so the exchangeable value of money, properly so-called, *i. e.*, of gold and silver coin, will ensure its being taken to the spot where it is most wanted, and remaining there till it is more wanted elsewhere. And just as speculative contracts in wheat or flour will be limited or expanded in proportion to the relative demand and supply of those commodities, so in a convertible currency the amount of bank notes and bank deposits will be enlarged or diminished, expanded or contracted, in accordance with the exigencies of the money market. If a man has more money than he wants, he will speedily either loan the surplus or exchange it for other commodities for which he has more use. Should he again need more money than he has in possession, he will either recall a portion of what he has loaned, or part with some of his other commodities in exchange for money. So, when a nation has more money than is needed to measure and exchange its other commodities, it will lend the surplus to other nations, as Great Britain is continually doing, or it will use it in the purchase of foreign commodities. Should its supply of money become deficient, it will recall a portion of its foreign loans, or it will export more of its own productions, and import less from abroad, until the equilibrium is reëstablished. This is the true elasticity of a currency based on specie, *i. e.*, on actual value, the only elasticity that deserves the name; all pretense to any other elasticity is a mere figment of the imagination. To illustrate the difference between the sham and the reality, we have only to contemplate the panic and disaster brought periodically and with ever accumulating force upon the great commercial metropolis of

our country, by the locking up of a few millions of irredeemable paper in a bank or treasury vault; and then to turn our eyes across the ocean, and witness the magnificent spectacle of a nation of smaller population, and wealth far inferior to our own, scarcely emerged from the terrific visitation of slaughter and defeat, but paying off in advance of treaty stipulations hundreds of millions of war indemnity in hard cash, with scarcely a ripple on the financial surface of Europe.

Since the permanent divorce of our currency from specie has become established, some statements, which are substantially true of a convertible currency, have been applied without hesitation to one that is irredeemable. It has been boldly asserted, for instance, that any excessive issue of bank notes is impossible, as these notes will always, when their function is expired, be returned in payment of loans to the bank which issued them. But those who make this utterly ridiculous assertion do not consider, and perhaps do not understand, that there can be no equilibrium between that which possesses value and that which is intrinsically worthless. As long as a currency is maintained at par with specie, its excessive issue is stopped at once by the necessity of redemption. Any bank, or the collective banks of a country, will take good care to issue every dollar of their promises which they can keep in circulation. But when the aggregate amount of these issues is too large to be in equilibrium with the prices of commodities as measured by specie, those prices will begin to rise; and specie becoming thereby depreciated in exchangeable value, will be called for at the banks in exchange for paper, and sent abroad as the cheapest article of export. This loss of specie at once compels the banks to refrain from further issues, and keeps the volume of the currency from becoming excessive. But where no necessity of redemption exists, there is practically no limit to the issue of bank notes, except the arbitrary limit of the law, which, as we have seen, is submitted to with impatience, and often disregarded. It is idle to talk of currency coming back in payment of loans, when it is notorious that such loans are constantly replaced by others; and that the aggregate of our bank loans has gone on constantly and rapidly increasing ever since the war, while, owing to this expansion of loans and inflation of prices, the supply of available currency is becoming more contracted from year to year, until it is in the power of a notorious gambler in stocks to boast that he can do what he pleases with the money market, by merely locking up a few millions of this irredeemable currency.

8. Another error, closely connected in orign, with the foregoing, is expressed in a singular theory to this effect, — that no currency issued by the government, except on the security of actual and equal deposits of coin, can ever be maintained at par with specie. The argument for this strange doctrine is derived from the supposed fact that the notes of the government represent merely a debt due from the government to the people, and that for capital no longer in existence, but which has been expended by the borrower; while bank notes on the contrary represent, it is true, a debt from the banks to the people, but are also due in a still larger amount from the people to the banks; which fact gives them a vitality as the representatives of actual value, which cannot attach to the issues of the government. This statement may indeed sound plausible to a mind unaccustomed to analysis, but it is in reality devoid of the slightest significance. If true, the argument would prove far too much; for it would invalidate the security not only of the currency of Russia from 1842 to 1854, which was one of the soundest and strongest in Europe, and but for the Crimean war, would have so continued to this day; but even of the Bank of England itself, the issue department of which is now wholly distinct from the banking department, and a large portion of its currency is based wholly on government debt. The truth is simply this, that the circulating notes of any country, whether issued by its government or its banks, represent merely a debt due to the people from those by whom the notes are issued. It represents that portion of the people's money, which being needed solely for domestic circulation, can have its office more conveniently performed by paper promises of undoubted credit, payable on demand. It may be divided theoretically into two portions: the larger part constituting what may be called the minimum of paper circulation, which under no circumstances ever can or will be presented for redemption so long as its security is undoubted, because for this purpose the paper promise is preferred to the coin itself. Over and above this minimum, there is an uncertain, and often large amount of paper currency required for occasional use, and which can only be issued with safety on actual deposits of coin. For this purpose a currency issued by the government evidently possesses the advantage, inasmuch as it can concentrate its coin in the commercial metropolis of the nation, where it is usually wanted. The banks, on the other hand, might find an equal supply of coin insufficient for their protection, owing to its distribution in various and dis-

tant localities, or to a want of wisdom and prudence on the part of those to whose custody it is intrusted. There is, indeed, one advantage possessed by the banks, which is not enjoyed by the National Treasury. The income of the latter is in general only about equal to its necessary expenditure, while the former are continually receiving large amounts of currency in repayment of the loans made to their customers, and which they may of course at any time apply to the liquidation of their own liabilities, instead of lending it again. It is this peculiarity of their position which has so fascinated the theorists referred to. But a moment's consideration will show that this position of general creditors held by the banks, though a great protection to themselves, is very far from protecting either the currency or the people. On the contrary, it enables the banks to throw off upon their debtors the responsibility of protecting the currency issued by themselves, and for the safety of which their own reserves should be the guarantee. In times of distress and panic it turns our whole financial system into a state of mutual and universal warfare, in which the hand of every man, every bank, and every money broker is liable to be against his neighbor, each striving frantically to save himself at the risk of forcing others into ruin. Moreover, in such times of disaster and panic, the credit of many, if not of all banks, is liable to be so weakened as greatly to enhance their own danger and that of the community; and even with the best of credit, their resources are limited to their own immediate vicinity. The credit of the government, on the contrary, is not only less affected than any other by domestic disaster, but may often be used with advantage to obtain relief from abroad.

From all these considerations, it seems evident that, other things being equal, a government currency is intrinsically superior to any that can be issued by local banks. It is needless, however, to add, first, that the right of issuing local currency will never probably be relinquished by our people; and secondly, that under our present political system we cannot hope to see so vast and important a trust, wisely, safely, or honestly administered by the National government.

9. An interesting and important question now arises, namely, To what extent is our present currency depreciated from its nominal value; or, in other words, what is its average purchasing power compared with that of a currency strictly redeemable in coin? To this question, at best only an approximate answer can be given; and it has received two answers, both plausible, but

widely differing from one another. First, if we assume that on a specie basis our community of 40,000,000 would not require above $400,000,000 of circulating paper and coin, and an equal amount of bank credits or deposits to effect all its exchanges, and measure all its values on a specie basis; and if the amount of each of these descriptions of currency is actually $600,000,000, or fifty per cent. above what is required, and no part of this currency can be put to any other use, it seems natural and reasonable to infer that the prices of all commodities, not exceptionally affected by external or other causes, will tend to advance on the average about fifty per cent. above their former level, though the absence of any real measure of value, and the effect of incessant speculation, must tend to produce continual fluctuation in every department of trade. For obvious reasons, it is not in my power to illustrate this conclusion by elaborate tables of prices; but all my own experience and observation tend to confirm it, and I have little doubt that it is substantially correct. It must not be forgotten, however, that this result, as already stated, is a mere approximation, and applies only partially to articles of import and export, which are affected by the state of our exchanges with foreign countries. Gold, as we shall presently show, being depreciated by the substitution of paper, all commodities which are still measured directly or indirectly by gold, *i. e.*, those which are either bought or sold abroad, must of course share in that depreciation; besides which, some descriptions of property, such as real estate, which change owners more slowly than others, are less liable to be affected by the inflation of paper currency. Other exceptions might be named, but it will still remain true, as I conceive, that the vast majority of our commodities of every kind which are produced and consumed from year to year, have been enhanced in nominal value about fifty per cent., after making due allowance for other elements affecting them.

Secondly, it is asserted by some that the true measure of the depreciation of our currency is found in the current premium on gold coin. But a very little consideration will show this theory to be utterly untenable. Gold, it is true, is still a commodity among us, but it is no longer the measure of value. It has ceased to circulate as a medium of exchange, and of the innumerable contracts throughout the community, which were formerly liquidated or measured by it, nearly all have been annulled or changed. Gold, therefore, has been practically deprived of its chief function in the community, and like all other commodities under similar

circumstances, its exchangeable value has been greatly depreciated. We may illustrate this by the supposition that our government had been able and willing to make and strictly enforce a law prohibiting the use of wheat in any form for food. Can any one doubt that in such a case the price of flour would be greatly depressed, and that it would depend chiefly upon the demand in foreign countries for whatever exchangeable value it might retain? In like manner gold, being deprived by law of its proper employment at home, has become valuable chiefly for export. It is true that with vast and continually increasing importations of merchandise from abroad, and the impossibility, under an inflated currency, of producing any considerable amount of manufactured goods cheap enough to be exported, or even of furnishing ships to carry them, the balance of trade and exchange is heavy against us, and ought in the natural course of things to bring up gold and every other exportable commodity to its full value. But this result, though plainly discernible in the future, has been postponed, first, by a tariff of duties on imports on an enormous and unprecedented scale; secondly, by the gradual exhaustion of our reserves of coin, held formerly throughout the country; and finally and most of all, by enormous amounts of money and credit loaned from Europe, in exchange for public and private securities of every description. Should this vast flow of credit from the old world to the new become suddenly and permanently checked, it needs no conjurer to predict the result. And there can indeed be no plainer or more conclusive proof of the actual depreciation of gold as compared with other commodities, than the fact that under a tariff of import duties averaging perhaps double those of previous years, the importation of foreign merchandise has continued on a colossal and increasing scale. Such duties in 1857–1861, would have been to a great extent prohibitory.

10. Let us now briefly inquire what are the evils of our present irredeemable and depreciated currency, and the objections to its continuance. These may be summed up in two brief statements: it is unsound, and it is dishonest. It is unsound because it is no real measure of value: it is dishonest because it pretends to be such, while it is composed wholly of paper promises, which are never redeemed and on their present basis never can be. If our whole nation were deprived of all correct measures of length, or weight, or capacity; if we had yards that were not yards, gallons that were not gallons, or pounds that were not pounds, the

whole community would cry out for redress, and the government would not dare to delay it for a single week. But unfortunately, in financial matters words are too often taken for things, and shams for realities, and plain common-sense is too easily hoodwinked by selfish cunning. Could I spread before you at a glance the incalculable and interminable mischief brought about by this potent cause, and originating in two or three years of incompetent and reckless financial administration, the cruel losses, the unrighteous gains, the decay of commerce, the triumph of monopoly, and the public and private extravagance, demoralization, and corruption which have flowed from this fertile source, you would indeed stand aghast at the spectacle. But it is my object at present merely to indicate, with all possible brevity, four different tendencies or results which must be ascribed to the past and present state of our currency.

(1.) The entire absence of any practical measure of value, taken in connection with great expansion of credit and unequal distribution of capital, has given such facilities for speculation as to cause wide and incessant fluctuations of prices, succeeding each other in every direction like waves of the sea, making it impossible to count with any approach to certainty upon any of the usual elements of production or of trade. Not only in stock-jobbing, therefore, which is too notorious to be more than mentioned, but in every department of regular and lawful commerce, it has become a matter of common remark, that all business has turned into gambling, while gambling, or rather speculation, has become the only safe and prudent method of business. The effect of this state of things upon the merchant I need not describe. Upon the great mass of consumers and producers, its obvious effect is to levy a tax amounting, perhaps, to hundreds of millions per annum, being the percentage of difference in price over and above a fair remuneration for the expense of distribution, which sticks to the hands of intermediate speculators and monopolists.

(2.) The state of the currency has rendered almost unavoidable an elaborate system of class legislation and wide-spread monopoly, most unjust and injurious to the people, and dangerous to our republican institutions. This is obviously not the place nor the time to enter upon collateral questions of political economy, however closely related to the subject before us. I shall content myself with stating the notorious fact that two, and only two, classes of the community, and those comparatively small in numbers, are protected in their monopolies by national law, at

the expense of all the rest, and that between them, commerce and agriculture are crushed and ground as between the upper and nether millstones. In the various combinations of various classes against one another, which are becoming more abundant from day to day, we see the slowly ripening fruit of this iniquitous system; but the full harvest is yet to be gathered. "They that sow the wind shall reap the whirlwind."

(3.) But after all, the most dangerous as well as the saddest consequence of a dishonest and irredeemable currency is its moral effect upon the people. When the government sets the example of breaking its most positive, solemn, and reiterated promises, and even legislates to prevent the possibility of their redemption; when banks are allowed to double their capital by appropriating the money of their depositors, and leaving their own debts unpaid except in paper promises; when every branch of legitimate industry and trade is crushed by monopoly, or rendered unsafe by the fluctuations of prices and values; what can we expect but what we see — agriculture and commerce painfully struggling to maintain their standing, a few flourishing at the expense of the many, the most reckless public and private expenditure of wealth, and extravagance of living, speculation, gambling, defalcations, and dishonesty of every kind. The recent investigations in Congress and the astounding revelations with which our press teems from day to day, relieve me of all necessity of adducing proof of these assertions. There are few severer tests of the moral principle of either individuals or nations, than a sudden and rapid influx of wealth; but when that wealth, instead of being acquired by honest industry or superior skill and knowledge, is the result of unfair monopoly or unjust legislation, when it is acquired by the few at the expense of the many, heaped together by gigantic speculations, or extorted from the public by iniquitous combinations — above all, when it is itself not a reality but a sham, consisting in the indefinite multiplication of dishonored promises and a mortgage on the industry of future generations what other results could be anticipated than those we see around us?

(4.) Finally, we may all rest assured that this state of things cannot continue, but carries within itself the rapidly germinating seeds of its own destruction. The delusion that the currency of the country would gradually grow up to par with specie, has now been rudely dispelled. In the face of a constantly decreasing supply of paper, and an almost intolerable tightness in the money

market, we have seen the premium on gold advance nearly 10 % nor can we wonder at either phenomenon, when we see the constantly increasing liabilities both of the banks and the people, and the corresponding diminution of reserves, both of specie and paper, in the treasury and in the banks. Now if there is any soundness in the premises or the conclusions of this essay, a return to equilibrium with specie (by which alone specie payment can be rendered possible) can only be effected by a very large percentage of liquidation and diminution of these enormous liabilities. But we have seen, and the evidence is overwhelming, that with every year of continued suspension, the liabilities of banks, corporations, and individuals are increasing with frightful rapidity, and as a natural result, reserves are diminishing, borrowers are more and more embarrassed, and the cry for further issues of paper is becoming more urgent. Such issues would afford no real relief. What is wanted is capital to pay debts, and not credit, to increase them ; economy and saving in expenditure, and not increased expenditure of what is not earned, but only borrowed. Unless something is done to check speculation and enforce retrenchment, we cannot long retain even the appearance of solvency, which we now enjoy. We seem to have come to the turning point when we must choose whom we will serve. The law of God, the law of honesty, prudence, and self-denial, points unmistakably in one direction. The plea of dishonesty, procrastination, and self-delusion, points the other way. The former, rightly followed, leads to liquidation and specie resumption ; the latter, to repudiation.

11. We come now to the final question which is to engage our attention, and to which all that precedes is but preliminary. How can our currency be restored to a sound basis, that is of course to an equilibrium with specie ? — for this equilibrium being restored, specie payment follows as a matter of course.

It is obvious enough, if our arguments hitherto have been sound, that so serious a change in the relations of values to prices, and in the amount of circulating medium in the community, can only be effected very gradually, and with the utmost caution and care. These considerations alone are sufficient to dispose of the famous phrase attributed to the late Mr. Horace Greeley, namely, that "the way to resume specie payment is to resume." The real question before us is not how to resume specie payment, but *how to prepare for resumption*, or, in other words, how to restore the equilibrium of specie and paper. The attempt to resume

payment without such an equilibrium would result somewhat like the experiment of jumping from the walls of our empty reservoir, under the delusion that it was still full of water. We should soon reach the bottom it is true, but not in a condition to repeat the experiment. Suppose even that the government were in a position with a reserve of $400,000,000 of coin to redeem every dollar of its promises on demand. This proceeding, so far from aiding the banks or the people to do the same, would lead to such large exports of specie, and cause such a sudden and violent contraction of credit, as has probably never been seen on this continent or indeed on any other. The same remark applies substantially to the schemes of Messrs. Sherman and Hooper, brought before the last Congress, and very properly set aside, the latter proposing to redeem greenbacks in specie, the former in five per cent. bonds, worth at least ten per cent. premium in currency, and in both cases with no other preparation than a year's notice. Unless the market value of all United States securities should be reduced at least ten per cent., such an experiment could not fail to result in general bankruptcy, or more probably to come to an end by a speedy repeal of the law.

Another supposed method of returning to specie payments, which seems to be growing less popular than formerly, is to let things go on in their present course, and wait till our paper *grows up*, as it is phrased, to par with specie. This theory I trust has been sufficiently exploded by what has gone before. Its essential falsehood lies in the assumption that credit by itself can produce value. And our recent experience makes it clear, that if no steps are taken to check the incessant expansion of credit, public and private, on its present unreal basis, a further expansion of currency will be imperatively demanded, and too probably conceded, as the only refuge from general bankruptcy.

We come now to consider in the last place the remedy of *contraction*, which has become a by-word and a bugbear throughout the land. On one side it is insisted that no other remedy can avail; on the other it is declared with equal fervor that it never has been and never can be attempted without ruin, more or less complete, to our industrial and commercial interests. Both these statements are perhaps substantially correct, but of course not in the same sense or application. Nothing would be easier, provided the will were not wanting, than for a very large part of the industry and commerce of the nation to adapt itself to the conditions necessary for a general contraction of liabilities, economy of

expenditure, and liquidation of debts, which would make it possible to accumulate reserves, to withdraw bank notes and greenbanks from circulation, to diminish bank deposits, to accumulate specie, and thus to produce a contraction of debt and of currency; easy because voluntary, and yet so rapid that within two or three years at furthest, specie payment might safely be resumed. But I need not tell you that while human nature continues as it is, no such prudent and disinterested action can be looked for. Every merchant, every manufacturer, every banker, every stock gambler, every man would inevitably seek to exempt his own little business from the operation of the general law; and the more certainly he counted on the moderation of others, the more confident and extensive would his own speculations be. In all such matters, we must expect from one and all, only what their own interest suggests, or the law demands.

It is plain, then, that we cannot expect or obtain that voluntary contraction by the whole people which alone would fully answer our purpose. But we can contract the currency issued by government, and this contraction will ultimately compel the banks also to contract their issues, in order to comply with the law. Can this be done, and can the process be continued, until the equilibrium of paper with specie is restored? We are compelled to reply, that in our opinion this course is no longer practicable. It might, we think, have been successfully adopted in 1865; and even in 1866, if applied with more caution and under more favorable circumstances, it might still have accomplished its purpose. The redundant paper circulation had not then, as it has now, forced its way into all the channels of industry and commerce, so as to leave nowhere a single reservoir or centre of reserve, whence the necessary drafts could be made. The paper issues of the government and the banks are sown broadcast over the land, and have become themselves the seeds of an incredible amount of private and corporate indebtedness, the whole being so inextricably intertwined that the mere attempt to root up a small portion of this unhealthy growth, may end in destroying a whole plantation. To speak less figuratively, the attempt to curtail the legal tender currency without making provision for a corresponding curtailment of other debts, public and private, would soon, as we conceive, bring matters to a dead lock. It would be like attempting to set in motion a heavy weight by violent pressure at the small end of a long lever. We are more likely to break the machine than to set the mass in motion.

It still remains true, however, that nothing but contraction can save us from continued inconvertibility, depreciation, and ultimate repudiation. But it must be a general contraction, not merely of national, but also of corporate and private indebtedness — of the superstructure as well as the base — in a word, of all credit now unduly expanded. It must be brought about, not by any arbitrary withdrawal of currency by the government, but by the voluntary action of the people. It must be so definite and direct, but so gradual and cautious, that not a single legitimate interest of the community shall be imperiled by it; yet so sure and irrevocable in its action that all the influences and combinations of speculators and stock gamblers shall be unable to interfere with it.

After naming these conditions, it may seem idle to propose any scheme which may hope to fulfill them. But there is a power in general laws and great principles which rises far above the temporary hindrances and limits of human affairs; and if we can discover and apply those which are suited to the present crisis, we may be assured that no existing difficulties will be found insuperable.

12. Our first proposition then concerns the legal tender notes of the government — the original engine of inflation and depreciation, and the only instrument available for gradual recovery. If our reasoning has been correct, a withdrawal of one half of these from circulation, provided the legal reserves of the banks were kept full, with a corresponding diminution of bank deposits, would place the currency substantially on a specie basis. But such withdrawal would be absolutely impossible without a corresponding curtailment of liabilities, both by the banks and the people. The government might continue to sell gold and destroy the greenbacks received for it, or it might issue bonds in exchange for greenbacks, without re-issuing the latter, but in all this there would be no inducement to the people or the banks to curtail their loans or their liabilities, except by the absolute pressure of law, which they are ready enough to evade or disregard. Nor would the law itself stand long in their way. Bank reserves would gradually disappear, and then would come the cry for new issues to make the currency "elastic."

But now, instead of depriving banks and people by a kind of force of their beloved legal tenders, can we not substitute for the latter a still better medium of exchange, which, in fact, they will like so well, as to begin by slow degrees to hoard it, and for this

purpose to curtail their liabilities and even diminish their expenditure? In this way contraction would begin at the right end, at the over-expanded summit and not at the base of credit. If this process could be continued until the liabilities of both banks and people were reduced to a point which could be maintained on a specie basis, resumption would be a mere matter of form. But it is very desirable that during this process, which must be extended through at least several years, no arbitrary withdrawal of currency from circulation should be made by the government, whether by loan or otherwise, but only by actual payment, dollar for dollar, in coin.

We propose, then, first, that the government should, with the least possible delay, call in and withdraw from circulation, the whole, or at least one half of the existing legal tender notes (excepting fractional currency), and issue in their stead an equal amount of new legal tender notes, payable at fixed dates, in coin, in monthly instalments of $5,000,000 each — but the payment not to commence before the year 1875 or 1876. These issues could be distributed to the highest bidders, as fast as a premium could be obtained, and in the order of their terms of payment, but only in exchange for existing greenbacks, which would, of course, be forthwith cancelled and destroyed. It will be seen that in this way, no change whatever would be made in the volume of the paper currency, but its quality would be changed from that which possesses absolutely no definite value, to that which can be definitely measured and computed in coin, while its function as a legal tender in discharging debts would remain unaltered. If we mistake not, the moral effect of this step would be very great. It would commit the government and people of the United States to a positive and definite redemption of those dishonored promises which have so long debauched the nation; it would make speculators and stock gamblers understand that their reign was over, and that any further attempt at inflation must end in ruin. It would teach banks, merchants, and even capitalists, the wisdom of moderation and prudence; and would make it for every man's interest to save rather than to spend, to sell rather than to buy, to work rather than to speculate. Stocks of merchandise would be allowed gradually to diminish, while money, or what is called such, would everywhere begin to accumulate. Wild and unprofitable enterprises, which have hitherto competed with legitimate industry, would begin to break down or be abandoned. Doubtful and unnecessary undertakings

would be postponed. Bank loans and liabilities would fall off, while bank reserves would increase. All purchases of bonds by the National Treasury would, of course, be stopped, and a much needed reserve of gold coin would begin to accumulate. Before long the new legal tenders would begin to be hoarded, especially by the banks, which would thus have a strong inducement to increase their reserves and lay the foundation of an "elastic" currency. After two or three years of this state of preparation and transition, the payment of the United States notes in coin would begin, at the rate of $5,000,000 a month, or $60,000,000 per annum, which should easily be met from the surplus revenue and the accumulated reserves of the Treasury. Should it at any time be necessary to borrow, we will venture to predict that all needed funds will be supplied at so low a rate of interest, as to astonish and confound those financiers, who have supposed it possible to borrow cheap without vindicating the National good faith.

It is hardly necessary to trace any further the action proposed. By the time one half of the existing legal tenders were redeemed in coin (a process which would occupy about three years) the circulating currency of the country would probably be brought to an equilibrium with specie, and the liabilities of banks and people would be correspondingly reduced. Gold coin would circulate at par, and the general resumption of specie payments would be a mere matter of form. Prices of all commodities would have adjusted themselves during these five or six years to the new and permanent basis of specie value. The prices of many things, such as real estate and other permanent investments, might be in many cases but slightly and temporarily affected, and would probably recover in a few years of prosperity, all that they might appear for a time to have lost. Prices of merchandise affected by foreign exchanges would follow the price of gold, declining slowly and gradually to par. The prices of the great mass of commodities annually produced and consumed at home, and which for more than ten years past have been subject to incessant and violent fluctuation, would begin at once to acquire steadiness, declining slowly and gradually to the point indicated by a correct measure of value. Estimating this amount of the decline at the highest proportion which our investigations will warrant, namely, thirty-three per cent., it is evident, that being spread over five or six years, it would but little exceed five per cent. per annum, a proportion hardly one fifth or even one tenth of the amount of variation to which some of our most important commodities have been sub-

jected, within comparatively brief periods, during these ten years of financial anarchy and misrule. But in the present case there will be a compensation such as has not existed heretofore. The movement of prices, instead of being spasmodic, irregular, and uncertain, will be uniform, moderate, and steady, and always in one direction. What we appear to lose as borrowers, sellers, and producers, we shall gain as lenders, buyers, and consumers. No great and general change can occur without more or less of individual suffering; but here the suffering will be incidental and comparatively easy to avoid, while the benefit will be great, immediate, and universal. We do not pretend to anticipate with anything like accuracy the precise time required to complete the process of restoration; but we see no reason to doubt that it may be steadily continued until its final object is accomplished.

13. There remains one weak point to be guarded against in our scheme, namely, the redemption of National Bank notes. With a singular want of foresight and common-sense, our National Banks have been allowed to invest their whole capital in United States bonds and to deposit these with the government as security for the notes which they issue. Of course this arrangement leaves no funds in their hands, either for the redemption of notes or for loans to their customers, except the money of their depositors and their own reserve profits. They may indeed lend their credit in the form of bank notes, but this credit they have no power to redeem. During the suspension of specie payments these notes, being guaranteed by the government, have floated about the country substantially on a par with greenbacks, and with scarcely a thought of redemption in any quarter. But when greenbacks begin to advance towards par, these notes must necessarily follow the same course. The greater part of them will no doubt continue to circulate on an equality with greenbacks, and even with gold; but as we have seen, there will be times when a considerable portion of every elastic currency must either be redeemed in specie or withdrawn from circulation, which is equivalent to the same thing; and while some of our larger banks may be already in a position to meet this contingency, it is certain that a very large proportion, especially of the smaller ones, would prove utterly unable to do so. Yet the stress of such contraction is quite as likely to fall upon the weak as the strong, and though the currency itself, being guaranteed by the government, might survive the shock, an extensive panic among depositors and the insolvency of hundreds of banks might discredit and overthrow the whole system.

It must be remembered, also, that with the return to specie payment, free banking becomes established by existing laws; and with the multiplication and competition of new banks, which cannot fail to follow, the amount of circulation of existing banks will be continually diminished. It will become essential, therefore, for many and probably most of the banks to cancel a considerable portion of their existing notes, and realize in cash the bonds deposited in Washington for their security. But this will never be done voluntarily, so long as it can be avoided or evaded; and as the principal redemption of notes will of course take place at New York or other commercial centres, and through irresponsible agencies, much confusion and embarrassment would be likely to ensue.

For all this, as we believe, there exists but one adequate remedy. Let the government, which holds nearly all the capital of the banks, and all the security for their circulation, make the necessary provision for its redemption. Let a bureau be forthwith established in connection with the sub-treasury at New York, where all national bank notes shall be redeemed in lawful money on presentation. Let the respective banks be notified, daily or weekly, of the amounts thus paid for their account, and if such amounts are not made good within thirty days, let a sufficient amount of the bonds held as security be sold, and the defaulting notes canceled. In this way both the convenience of the public and the highest possible credit of the currency would be amply provided for, while the redemption of notes would be reduced to its minimum amount, and effected with the greatest possible economy of specie. The expense could easily be defrayed from the taxes already paid by the banks, which would otherwise be unreasonably burdensome, after they shall have been compelled to pay their debts and relinquish their monopoly of credit.

The subjoined sketch of a bill to be passed by Congress appears to embrace all the legislation necessary to carry out the scheme we have endeavored to explain and defend: —

14. *Be it enacted, etc.*

SECTION 1. The Secretary of the Treasury shall cause to be prepared immediately, two hundred million dollars of legal tender notes, of the usual denominations, and in the usual proportions, payable in gold coin at the Sub-treasury of the United States in New York in monthly installments of five million dollars each, such payment beginning on the first day of January

eighteen hundred and seventy-six, and the date of such payment shall be conspicuously stamped on every note so issued. Each monthly installment of the said new legal tender notes shall be offered at public sale to the highest bidder, in exchange for existing legal tender notes, in the order of its date of payment, and ten million dollars of the said notes shall be issued in every calendar month, commencing as soon as the notes can be prepared, and continuing so long as any premium above par can be obtained for the same. When a premium can no longer be obtained, the said notes shall, after a delay of thirty days, be issued at par to all applicants in the order of their application, but the obligation to record and observe such order of application shall not extend to more than ten millions in the whole, before again offering the notes to public competition. And all notes received in exchange for said new issues of notes shall be immediately withdrawn from circulation and cancelled.

SECTION 2. The Secretary of the Treasury, in connection with the Comptroller of the Currency, shall establish forthwith in the city of New York a bureau of redemption, at which all circulating notes of national banks shall be redeemed on presentation, in lawful money of the United States; provided, nevertheless, that whenever in the opinion of the Secretary of the Treasury the cash balance in the Treasury shall not be sufficient to render the continuance of such redemption expedient, such redemption may be temporarily discontinued. And such national bank notes, when redeemed, shall be promptly assorted, and their amount charged to the respective banks by which they were issued, and weekly notice shall be given to such banks to redeem the same. And whenever such banks shall fail to redeem such notes within thirty days of the date when notice is mailed in New York, it shall be lawful for the Comptroller of the Currency to sell a sufficient amount of the bonds held for account of such banks, and to make good their deficit at the bureau of redemption. And all notes thus left unredeemed shall be forthwith withdrawn from circulation and cancelled.

SECTION 3. From and after the passing of this act, all purchases of bonds by the United States Treasury shall cease.

And now, my friends, before closing this long and perhaps tedious essay, let me appeal not only to you, but to every intelligent and thoughtful and honest citizen of our country, to unite in a firm resolve and an urgent demand, that this disgrace, this gigantic wrong, this scandal, this abomination, shall come to a

speedy end. If the scheme now proposed, or any other, cannot command the approval of the people, let the united wisdom of our ablest and most experienced merchants, bankers, and financiers be called upon to devise a remedy, and that without delay. That the richest nation in the world should submit to prolonged and voluntary insolvency; that the most thrifty and industrious of people should deprive themselves of one of the most essential instruments by which wealth is created and distributed; that the nation most zealous of commercial supremacy should abandon the field, destroy her shipping, overthrow her commerce, and become voluntarily dependent for capital and credit upon her European rivals; that the most democratic of nations should willingly subject itself to the basest of all tyrannies; that the descendants of those who fled from Europe for conscience' sake should deliberately refuse to pay their just debts, and openly violate that divine law which declares "just weights, just balances, and just measures shall ye have;" all this may seem incredible, and might, twelve short years ago, have been pronounced impossible; but unhappily it is now a matter of history. As we would recover our fair fame among the nations, as we value truth and justice and honesty at home, as we would escape the tyranny of monopoly, reconcile capital and labor, avert the impending conflicts of classes and perpetuate free institutions, let us see to it that this foul blot on our history be taken away at once and forever.

SOME RESULTS OF THE CENSUS.

Read at the General Meeting in Boston, May 15, 1873. By Francis A. Walker.

In December of 1869, the Honorable James A. Garfield of the United States House of Representatives addressed the Association with reference to the then approaching Census.

That ready friend and able champion in Congress of all liberal and progressive measures, spoke at that time in sanguine anticipation of a new Census law which should conform to the requirements of modern statistical science, with reasonable consideration of the peculiar conditions of settlement and occupation in this country; and his address, well worthy of him both as statistician and as statesman, was mainly devoted to a recital of the features of the proposed legislation.

During the session which immediately followed, the results of the labors of General Garfield's Committee were submitted to Congress, embodied in a Bill which, though fairly subject to friendly amendment in some minor particulars, was warmly approved by the almost unanimous sense of the House of Representatives, and passed that branch of the national legislature by an overwhelming majority, the best men of both parties coöperating to perfect and to forward it. Of the combination of parliamentary accidents and malign influences which secured the defeat of that enlightened scheme in the Senate, it is unnecessary to speak here; suffice it to say that a characteristic indifference[1] to a

[1] It would seem that an apology was deemed to be required from nearly every senator who occupied the time — though not the attention — of the Senate with this subject.

Thus, Mr. Patterson of New Hampshire — "I have no ambition to speak to the Senate when the Senate is not listening to anything that is said. I think if an enumerator had been appointed to take the census of the Senate for the last two days, he would have had a very easy task, and would have made very poor wages. I am very much surprised at this, because it seems to me that the bill is one of great public moment, and one in which the Senate ought to feel a great deal of interest." Cong. Globe, 2d Sess. 41st Cong. p. 1134.

Again, "I will not continue these remarks, because I see that the subject has but little interest apparently for the Senate." Id. 1138.

Mr. Bayard of Delaware — "I am aware that this subject is apparently exceedingly interesting to the Senate." Id. 1141.

Mr. Morrill of Vermont — "Certainly the interest of the Senate seems down to zero; and yet we shall hardly have before us at this session a bill that will be of more vital importance to the country than the one under consideration." Id. p. 1108.

measure not of personal, or sectional, or partisan importance, ignorance of the special subject, personal pique, and an unworthy jealousy of the Representatives availed to bar the progress of the House Bill until the time arrived when by a so-called continuing clause in the Act of May 23, 1870, that Act revived and became the law of the land, governing in all respects the taking of the ninth as of the eighth and seventh Censuses. It thus followed that the enumeration of 1870 was conducted under a law wholly inadequate in the authority it confers, the agencies it creates, the inquiries it proposes.

It is to some of the results of a Census taken against such capital disadvantages, that I crave permission to call your attention to-day, premising merely that I shall omit everything in the nature of disquisition, confining myself to statements of fact, and trusting to better and older social observers than myself to supply the philosophy of the situations presented.

The topics to which I shall briefly refer are as follows: —

First. The causes of the retardation in the national increase between 1860 and 1870.

Second. What does the Census indicate as to the population of the United States in 1900?

Third. What are the indications of the Census respecting the future of the colored race within the United States?

Fourth. What are the relations of the foreign to the total population, and of the several foreign elements to each other?

Fifth. What have been the principal changes in the occupations of the people during the decade 1860 to 1870?

The Causes of the Retardation in the National Increase between 1860 *and* 1870.

The population of the United States was by the Ninth Census determined at 38,558,371 on the first of June, 1870.

According to the projection of the line of ascent from 1820 to 1900 by Elkanah Watson, the population of the country at 1870 should have been 42,328,432. The estimate of Mr. De Bow, Superintendent of the Seventh Census, made it 42,813,726. The mean of the two sums would give 42,571,079 as the estimated population of 1870, or almost exactly four millions above the number of inhabitants reported in the Census. It may not be without interest to inquire what has become of the four millions of persons thus "turning-up missing" at 1870, of each of whom the United States Marshal has made his return "non est inventus."

"The War" is the first suggestion, and one which to the popular mind is probably sufficient. What, then, were the direct and indirect losses to population resulting from the four years of civil strife, so far as they can now be ascertained? The first part of the "Medical and Surgical History of the War," recently issued from the Surgeon-general's office, affords the means of determining very closely the direct losses of the Union Army. It appears that the Adjutant-general's office has the "final papers" of 303,504 officers and soldiers of the regular, volunteer, and colored troops. If we say three hundred and four thousand, we shall probably cover all the cases not embraced in this count. This statement, however, includes only those who died in service. Two hundred and eighty-five thousand were discharged on account of disabilities of the various forms recognized by the Surgeon-general's office. It is probably fair to assume that one third of these died within two years from discharge. Tens of thousands were discharged to die; tens of thousands more lingered through the first or second year. If, in addition, we allow for the accelerated mortality among the nearly one million and a half persons, enlisted for longer or shorter periods into the service of the United States, who neither died in service nor were discharged for developed disability, but who carried out with them the seeds of disease, or retired to civil life with shattered constitutions, we shall be safe in placing the loss of the Union Armies at five hundred thousand.

For the Confederate forces very little is available in the form of positive data. Perhaps the best estimate of their total losses in service is that of Professor Joseph Jones of the University of Louisiana, who was, if I mistake not, a surgeon in that service of large field and hospital experience. Professor Jones fixes the number at two hundred thousand. If we allow proportionally for the deaths immediately following discharge for disability, or more slowly ensuing from the general strain of the constitution and the gradual development of disease, we should have the aggregate loss for both armies about eight hundred and fifty thousand.

The more obvious of the indirect effects of the Rebellion upon population are three;[1] first, the check given to immigration by the state of war. Taking the mean of the four-years periods immediately preceding and succeeding the four years of war, the loss on this account is 353,000. Second, the check given to the increase of the colored population. This may be roughly stated

[1] See "Report on Population and Social Statistics," *Ninth Census*, pp. xvii., xviii.

at 560,000. Third, the check given to reproduction by the withdrawal of an average body of 1,200,000 to 1,500,000 able-bodied men from domestic life for a term of three and a half to four years. The number so withdrawn constituted between one fourth and one fifth of the natural militia of the country. The term for which they were so withdrawn, was between one third and two fifths of the decade. Taking the number of births which would have been required to keep the population up to its traditional rate of increase, and treating this number according to the ratios indicated, and thereupon computing the survivorship at 1870 from such births, by the Life Tables of Mr. Elliott contained in the second volume of the last Census, we should have the loss to the population at 1870, from this cause, between 750,000 and 850,000.

The above comprises all the proper effects of the war which we could indicate without seeming to finesse; all that contributed in any important degree to the result of a population in 1870, below that projected from the point of view of 1810, 1850, or 1860. Even were we to allow considerable margin for the scope of the causes to which we have alluded, or to introduce other influences affecting population in minor degrees, we should still have a total of 1,200,000, 1,300,000 or 1,400,000 representing the falling off of population from causes not necessarily or properly incidental to the War of the Rebellion.

Substantially the whole of the effect thus indicated, I attribute without misgiving, to habits of life, which must be of observation by each of us; habits of life which generally, if not invariably, connect themselves with, if they do not arise out of, certain conditions of industry and of settlement. The habits of life to which I refer, are the restriction of the marrying class: the procrastination of marriage within that class, and the careful avoidance of family increase. That these habits are having a rapid, though perhaps not a regular growth, all over the Northeastern and Middle States, and throughout the commercial and manufacturing communities of the West, does not require to be brought out by statistical comparison. The fact is patent, palpable, and needs no proof. It is only the degree of the effects which can be doubtful, and to those effects, within the last constitutional decade, it seems to me the measure we have just given, with a margin of two or three hundred thousand in a population of thirty-eight and a half millions, may fairly be applied.

What does the Census indicate as to the Population of the United States in 1900?

I take this date simply because it is that which has been made most conspicuous in estimates of the probable future population of the country. In 1815 Mr. Elkanah Watson forecast the population of 1900 with the result of 100,355,985 souls; in 1854 Mr. De Bow, Superintendent of the Seventh Census, made a similar computation upon later data, reaching the result of 100,337,408. In 1862 Mr. Kennedy, Superintendent of the Eighth Census (Preliminary Report, p. 7), put forth what purported to be an independent computation, but his figures bear a likeness to those of Watson,[1] which excuses us from considering Mr. Kennedy's as an original contribution to the literature of the subject. In 1869, after the war it will be observed, Mr. Commissioner Wilson, of the General Land Office, in his annual report, predicted a population of between one hundred and seven and one hundred and fifteen millions at the close of the century. These various estimates of our future national greatness have been a thousand times recited in loyal and patriotic effusions, and have been made the theme of infinite gratulation and jubilation. In the light of the results of the Census of 1870, how far is it reasonable to anticipate the realization of these predictions? What, subject to accidents which it is impossible to foresee, and to the determination of tendencies not yet foreshadowed, is likely to be our population in 1900?

It has been shown that the realized loss of the last decade is, by the computations of Mr. De Bow, the highest authority among the persons just named, somewhat in excess of four millions. It is further evident that these four millions, who have thus failed to put in an appearance, had another part to play in Mr. De

[1] The following table presents Mr. Kennedy's estimate made in 1862, in comparison with Mr. Watson's made in 1815: —

	WATSON.	KENNEDY.
1870	42,328,432	42,328,432
1880	56,450,241	56,450,241
1890	77,266,989	77,266,989
1900	100,355,985	100,355,802

Mr. Kennedy states that his estimate is based upon "the well known and very correct assumption of a mean annual increase of three per cent." The application of this ratio, however, to the reported population of 1860, 31,443,322 (Preliminary Report, p. 131), will not yield the result given in the above table for a single one of the years specified.

Bow's scheme besides that of being enumerated at 1870. They were also required to become responsible for no inconsiderable portion of the population of 1900. A very simple operation in the "rule of three" will show that if the four millions in question were taken proportionally out of the several classes of the population in respect of age and sex, the loss at 1900 corresponding to the loss at 1870 is almost exactly ten millions, that is, there would be ten millions fewer at the latter date by reason of the non-appearance of four millions at the earlier date.

But it is further evident that if the loss at 1870 were out of the class which would reasonably be counted on to contribute more largely than others to increase the population thirty years later, then the loss must be reckoned higher. An analysis of the statistics of age and sex at 1860 and 1870,[1] shows that there are in every one hundred thousand of our population one thousand five hundred more persons over fifty years of age (*i. e.*, of the practically sterile class), and one thousand five hundred fewer below the age of twenty years (*i. e.*, of a class which would contribute to the population of 1900 not only its own survivorship, but its natural increase in the first generation). We have, therefore, manifestly a loss at 1900 greater than if the loss at 1870 had been distributed proportionally among the several periods of life. We can scarcely compute the ultimate effect of the realized loss of 1870 at less than 11,000,000. By this amount, therefore, we must discount the computed results of De Bow and Watson, making the population of 1900 not one hundred but eighty-nine millions.

But this is to treat the loss of the decade as due to wholly exceptional causes not likely to influence the rate of increase from 1870 forward. If, however, we have rightly charged a portion of that loss to habits of life and industry which are becoming more and more general throughout the community, we must look to see still further effects wrought by the same causes. We shall, perhaps, obtain our best view of the general direction,

PERIOD OF LIFE.	1870.	1860.
Under twenty	49,681	51,189
Twenty to fifty	39,472	39,314
Fifty and over	10,834	9,330
Unknown	13	167
Total	100,000	100,000

and the probable rate, of this movement, through a consideration of the recorded birth rates of the several States.

The Census does not obtain the number of births occurring during the year of enumeration, but, instead, the number of persons under one year of age surviving on the day of enumeration. This number is, of course, less than the number of births by the number of children born during the year and dying before its close. Moreover, the number of persons under one year surviving at the close of the year suffers loss through the heedlessness of Census takers in enumeration, and also through the tendency of parents, nurses, and servants, to speak of children between ten and eleven, and between eleven and twelve months of age as a year old. But while, from the combined operation of these two causes, the number of persons returned in the Census as under one year falls short of the number born during the year by a considerable percentage, the results can, for purposes of comparison as between States and sections, be safely taken as indicating the ratio of births to population, the omissions on account of the tendencies noted being assumed, as they may legitimately be, to have been uniformly distributed. This is undoubtedly the case in respect to the erroneous classification of young children who are actually returned, while, so far as any difference is made by disregarding the children born and dying within the Census year, their exclusion gives for the present purpose rather more than less of assurance, since the number surviving at the close of the year in the several States better measures the *effective* increase than would the *gross* number of births if obtainable.

If, now, for the purpose of ascertaining the rate of effective increase by birth in the different sections of the Union, we group the States (excluding those on the Pacific coast) according to the ratios found to exist between the number of persons under one year of age and the total population, we shall reach immediately some most instructive results. There are ten States which have thirty-six or more inhabitants of all ages to each child under one. These are Connecticut (44.79), Delaware (36.30), Maine (48.06), Massachusetts (44.18), Michigan (36.29), New Hampshire (55.45), New Jersey (36.41), New York (42.19), Rhode Island (44.18), and Vermont (46.37). These we group as Class I., having the smallest effective increase by birth. There are fourteen States having between thirty-two and thirty-six inhabitants of all ages to each child under one. These are Alabama (32.83), Florida (34.91), Georgia (32.10), Illinois (32.02),

Indiana (32.91), Louisiana (32.88), Maryland (35.36), North Carolina (34.85), Ohio (35.23), Pennsylvania (35.48), South Carolina (35.46), Texas (32.23), Virginia (34.22), and Wisconsin (34.00). These we group as Class II. The District of Columbia falls also into this class.

There are ten States having fewer than thirty-two inhabitants to each child under one year of age. These are, Arkansas (28.42), Iowa (30.64), Kansas (28.17), Kentucky (31.44), Minnesota (31.55), Mississippi (29.61), Missouri (31.73), Nebraska (29.85), Tennessee (31.93), West Virginia (30.79). These we group as Class III., having the largest rate of effective increase by birth.

Class I. contains an aggregate population of 10,085,853, the average of the class being 41.91 inhabitants to each child under one year; Class II., 19,291,476, average 33.91; Class III., 8,176.351, average 30.85.

We have then three groups of States, graded according to birth-rate. These groups, in spite of all irregularities, may be said to form successive tiers of States. Proceeding, indeed, from Northeast to Southwest the order of succession is perfect. Now if the birth-rate of the first group is low because of social and vital conditions naturally or necessarily associated with the industrial development of those States, as appears little less than certain, the question whether these conditions are to be extended over the States of the second group, and if so, within what time, and in what degree, becomes of great consequence in respect to the population of the United States in the immediate future. The same principle applies, though with smaller relative results, to the passing of the third group into the conditions of the second, or perhaps better, the extension over the third of the conditions of the second. What are the mathematical relations of the groups, considered with respect to their contributions, present and prospective, to the increase of population by birth? At the present time the contribution of the several groups to each body of one thousand births, as indicated by the facts of survivorship, are as follows: first 224, second 529, third 247. Let us now consider the effects which would be wrought upon the birth-rate by the extension of the conditions of the first and the second group over the second and the third respectively, and of the intensifying of the conditions of the first group, making successive assumptions as to the degree and the time within which the several changes may take place. And inasmuch as the probabili-

ties of such change of conditions appear from a general survey of the social and industrial facts of the country to be much less in respect to the southern portion of the second group, we will divide that group into two parts, separated by the southern line of Maryland, the first comprising a population of 12,375,003, and having on an average 34.17 inhabitants of all ages to each child under one; the second comprising 6,916,473 inhabitants, and having an average of 33.47, the contribution of the former to each one thousand births being 337; that of the latter, 192. It is a matter of course that if such changes are to occur in any portion of either group as would reduce it to the condition, in respect to birth-rate, of either of the other groups, those changes will, in fact, be effected gradually. But for the purpose of determining the principles involved, we may properly assume the changes to be instantaneous.

If now Group I. should be extended to include the whole of the upper half of Group II., the birth-rate of the United States would be reduced by 62 in 1,000; if over one half the reduction of the birth-rate would be 31 in 1,000; if over one third, 20⅔ in 1,000.

If the conditions of Group I. were intensified to those of the State having the smallest birth-rate, the reduction in the general birth-rate of the United States would be 55 in 1,000; if only to the birth-rate of Massachusetts, Rhode Island, and Connecticut, the reduction would be 11 in 1,000.

If the conditions of the upper half of Group II. are extended to embrace the whole of Group III., the reduction of the general birth-rate of the United States would be 24 in 1,000; if over one half of that group, 12 in 1,000; if over but one third of the group, 8 in 1,000.

If we assume in all the groups simultaneously the least of the changes, the effects of which have been thus computed, namely, that the whole of Group I. takes on the condition of Massachusetts, Rhode Island, and Connecticut; that the present average of Group I. is applied to one third of the upper half of Group II.; and that the present conditions of Group II. are extended over one third of Group III., we shall have a total loss of 40 out of each 1,000 births at the existing rates.

That such a westward extension of the conditions of the older States, in this respect, is gradually taking place, and that some of the States which are now embraced within Group II., will be found at 1880 to have fallen into the same class with the New England States, seems probable almost to the point of certainty;

but to assume to say just how far and how fast the change will go on, would be merely an attempt at imposture. The following are some of the more probable suppositions in respect to the future increase, the range from highest to lowest being still very wide, as is proper when we are dealing with undetermined elements of such magnitude.[1]

Should the rate of increase rise again to thirty per cent. each ten years, and be maintained during the remainder of the century, the population at 1900 would be eighty-four and three-quarter millions. Should it rise in the present decade to thirty per cent., drop in the next decade to twenty-five, and in that next ensuing to twenty, the population of 1900 would be seventy-five millions; or if we assume a uniform future rate of increase of twenty-five per cent., we have substantially the same result. If we assume for the remainder of the century the rate maintained during the last ten years, the population would reach seventy-one millions. Were the rate to drop to twenty per cent. for the last decade only, the result would be lower by a million and one half. In my view, the above estimates comprise all the reasonable probabilities of the situation. Somewhere between sixty-nine and eighty-five millions, with a decided preference for seventy-three to seventy-six millions, would, from the point of view we now occupy, seem to be the most likely place in which to find the population of the United States at 1900, subject to addition or deduction, by reason of the acquisition or the loss of territory.

Of course, no person would be so presumptuous as to deny the possibility of great changes, which shall vastly exaggerate present tendencies or wholly reverse existing relations. Long before 1900, the nation may be rent into discordant States. On the other hand, it may, before that date, extend its law over all the people of the continent, living in harmonious union. Half China and Japan may be precipitated upon us by the force of the revolutionary principles long smouldering in those ancient empires, or the stream of emigration may by that time set steadily from our shores to Australia and the Indies. But such merely possible and most unlikely events aside, I do not believe that the United States are destined to vary greatly in the three unexpired decades of the century, from a decennial rate of increase averaging twenty-three per cent., though ranging, it may be, from twenty-

[1] In dealing as above with the probable future population of the country, immigration has been taken into account. The anticipations entertained by the writer as to the course of immigration in the immediate future, are indicated as clearly as the nature of the subject will allow, under the title following, "The relation of the foreign to the total population, etc."

eight to eighteen per cent., or more probably from twenty-five to twenty-one.

What are the Indications of the Census respecting the Future of the Colored Race within the United States?

There is reason to apprehend that this portion of my remarks may remind you of the memorable chapter on the "Snakes of Ireland," in the history of that country. In point of fact, the indications of the Census respecting the colored element are very meagre, and are indirect, at that. Had Congress, in an enlightened view of the prodigious changes which had passed upon the country, and of the especial need of accurate information to direct the industrial, social, and political reconstruction of the South, provided for a Census of the United States in 1865, we might to-day be in a position to predict, with no little assurance, the line of ascent or of descent for this portion of our population. We should be able to measure precisely the effects of the violent and unprepared emancipation which was wrought, not so much by the proclamation of the Executive, as by the actual operations of our troops in the field, drawing after them vast bodies of the blacks, uninstructed and unprovided, to be crowded into camps and cities, to perish by privations and disease in uncounted numbers. We should be able to exhibit the maximum effect of these causes, and also to point out when and where the healing effects of peace began to manifest themselves in the recovery of something more nearly approximating the traditional rate of increase. We should be able, in a word, to see just where, and in what condition the War left this race, and where and how the state of peace took them up.

The great facts in regard to the increase of the colored population in the past, may be summarized as follows: —

Since 1810 the colored inhabitants have uniformly exhibited a lower rate of increase than the white inhabitants; the gain per cent. during the several intervening decades being as follows for the two elements of population: —

	White.	Colored.
1810 - 1820	34.12	28.58
1820 - 1830	34.03	31.44
1830 - 1840	34.81	23.40
1840 - 1850	37.73	26.60
1850 - 1860	37.69	22.07
1860 - 1870	24.76	9.21

During the term 1860 to 1870, the increase of the colored population in the Northern States, was fifty per cent.; but this gain was notoriously not by excess of births, but by migration northward. The increase of the Southern States was a little less than eight per cent. Those of the Slave States, which increased less than the average of the section, were Kentucky, Missouri, Virginia (including West Virginia), Delaware, Maryland, Mississippi, Louisiana, and South Carolina, including it will be seen, all the old slave-breeding states which were depleted by the drain northward occurring coincidentally with the destruction of the southern market for slaves. Of the other States, the chief rice State, the chief sugar State, and the chief cotton State, viz. South Carolina, Louisiana, and Mississippi, have suffered with almost equal severity. I am able at this time to make but one contribution to the question of the future of the colored race; yet I cannot but think it an important one. We know that the colored population has not increased in the Southern States, as rapidly as heretofore; we know, moreover, that there has been a decline in production in the four staple industries of that section, rice, sugar, tobacco, and cotton; but we might fairly assume that so far as the colored population had held its own, and even made progress, it would be due to the support furnished by those industries; that the ascertained loss would be out of the counties having the least agricultural production, and that the portions in which those industries are most successfully cultivated, with the largest margin of production, would be found to have borne best all the trying conditions of the last ten years. For the purpose of testing this assumption, I have taken 159 important counties of the South, being the counties having in 1860 the largest absolute crops in one or another of the staples mentioned; 79 in tobacco, 48 in cotton, 22 in sugar, and 10 in rice.[1] The counties thus taken are found, 15 in Alabama, 3 in Arkansas, 3 in Georgia, 28 in Kentucky, 32 in Louisiana, 5 in Maryland, 11 in Mississippi, 3 in Missouri, 8 in North Carolina, 9 in South Carolina, 14 in Tennessee, 2 in Texas, 26 in Virginia. In three cases, large cities were for the purposes of these comparisons separated from the counties in which they are located. The result of the investigation is, that while the tobacco States have increased in colored population 2.4 per cent. (from 1,719,249 to 1,760,474) the 79 select tobacco counties have fallen off 4.1 per cent. (from 488,698

[1] It is a noteworthy fact, that only four counties are thus duplicated; two of the cotton counties being also sugar counties; two of the sugar counties being also rice counties.

to 468,617); while the cotton States have increased 8.9 per cent. (from 2,680,764 to 2,942,852), the 48 select cotton counties have fallen off 3.04 per cent. (from 674,681 to 654,143); while the one sugar State has increased 3.95 per cent (from 350,373 to 364,210), the 21 select sugar counties of that State have decreased 11.1 per cent. (from 168,829 to 150,083), and the one sugar county in Texas, shows a percentage of increase less than one third of that of the entire State; while South Carolina, the great rice State, has increased .85 per cent. (from 412,320 to 415,814), the seven select rice counties of that State have decreased 13.79 per cent. (from 143,865 to 124,025): and the three rice counties taken from other States, have barely held their own. Had villages and the smaller cities been carefully excluded, the depletion of the agricultural districts would probably have appeared even more strikingly, but the necessary material at the Eighth Census is rarely accessible.

Time will not allow the discussion of this topic, but I respectfully submit whether the negro as the denizen of the city, for this in an important degree is the future to which the desertion of the tobacco, cotton, rice, and sugar fields points, is likely even to hold his own. That the colored population of the border States should have been reduced by the northward migration, is not surprising; but the negroes who have been lost from the great agricultural counties enumerated, are still found in their own States, resident in villages and towns, employed in domestic service, where increase is practically forbidden, or picking up a poor and doubtful living as teamsters or day laborers. It is not in such employments that the colored population have increased in the past, nor does it appear consistent with the known habits and proclivities of this race, that they should do so in the immediate future. It would be fair to expect that another Census would show a somewhat higher rate of increase than the last, which embraced the enormous losses by exposure and privation incident to a violent and unprepared emancipation: but it appears from the point of view we now occupy in the highest degree improbable that that ratio will rise to anything like the traditional twenty-five or twenty per cent.

What are the Relations of the Foreign to the Total Population, and of the several Foreign Elements to each other?

Prior to 1850, we have no information as to the number of persons of foreign birth living in the United States, other than could

be derived from the Statistics of Immigration, treated according to ratios, more or less satisfactory and conclusive, for the determination of survivorship at and for the individual dates taken.

The Seventh, Eighth, and Ninth Censuses present the number of persons of each specific nationality living in the United States on the day of enumeration. From the published results it appears that, in 1850, 9½ per cent. of the population of the country was of foreign birth; in 1860, 13 per cent.; in 1870, 14 per cent. At the several dates named, the relations to the total foreign, and to the aggregate population, sustained by the natives of certain specified foreign countries were as follows: —

	Per Cent. of Total Foreign Population.			Per Cent. of Aggregate Population.		
	1850.	1860.	1870.	1850.	1860.	1870.
Irish	43.5	38.9	33.3	4.1	5.1	4.8
Germans	26.4	30.8	30.4	2.5	4.1	4.4
English and Welsh	13.9	11.5	11.2	1.3	1.5	1.6
British Americans	6.7	6.	8.9	.63	.8	1.3
Swedes, Norwegians, and Danes	.81	1.7	4.4	.08	.23	.63

These figures, taken in connection with the Tables of Immigration from 1863 to the present time, as published by the Bureau of Statistics at Washington, and also with certain facts of general notoriety, appear to me to point to the following as the probable relation of the foreign to the total population of the country, and of the several foreign elements to each other, at the Census of 1880: the foreign to bear a somewhat smaller proportion to the total population than at 1870; the Irish to have decreased from 1870 relatively to the total population and to the total foreign population, both in an important degree; the Germans to have decreased relatively to the total population, but to have increased relatively to the total foreign population, though not largely; the English and Welsh, and the Scandinavians, to have increased relatively to both the total population and the total foreign population, the English and Welsh,[1] however, in much the higher degree.

Of the Chinese immigration, of which a great deal has been said of late in a somewhat sensational way, not much can be predicted upon statistical grounds. That such immigration cannot

[1] The acceleration of English immigration within the past few years has been very marked. The annual arrivals from England and Wales are now scarcely less than those from Ireland; and it is reasonable to anticipate a steady increase in the number for many years. It has taken a singularly long time to initiate emigration from the agricultural districts of England, but the movement would seem at last to have fairly commenced in earnest.

become spontaneous, but will remain in a high degree artificial, as in the past, the result of organized and laborious efforts to induce a movement of population; that Chinamen coming to America will continue to leave their wives and children behind them;[1] that they will come with a purpose not to stay, but to return; that they will take no root among us, and will make themselves no homes upon our soil; that their physical and mental peculiarities will always tend to render our people generally averse to close contact with them, and will defeat anything like sympathy on the part of those who have overcome an active aversion, these things appear certain. The statistics of recent immigration would seem to show that this movement has in fact already reached its maximum, and that the arrivals hereafter are not likely to be much more than sufficient to repair the waste of disease and the losses caused by the return of the more homesick or the more successful of this people. At the same time it is not impossible, nor even unlikely, that the social and political forces which, by the reports of many careful observers, are at work with unwonted activity in the Celestial Empire, may produce domestic convulsions which will detach considerable fragments of the population, and send them drifting in huge, inert masses to our shores. Can these have any other fate than to waste away by slow degrees under hostile influences, until they finally disappear?

The most vital relations of the foreign to the total population of the country are, however, shown rather by the Statistics of Foreign Parentage than by the Statistics of Foreign Birth. It is the increase of these foreign elements upon American soil which determines their importance to us. It is not the loan of their labor through one generation, but the contribution of their blood in perpetuity, which constitutes the real significance of the accession of one, three, or five millions of foreigners. Until the last Census, no data were available for determining the number of persons in the United States born of foreign parents. Under the enlightened administration of the Department of the Interior by Secretary Cox, of Ohio, the Superintendent of the Census was authorized to include among the inquiries of the population schedule, for the first time in 1870, the subject of foreign parentage. Although these statistics are subject to the usual exceptions on account of errors of enumeration, a very laborious and extended examination of the original returns from hundreds of subdivisions has satisfied me that they are substantially accurate and complete.

[1] Only 674 Chinese women arrived at all the ports of the United States in 1870; 137 in 1871, and 314 in the first three quarters of 1872.

The result of this inquiry into foreign parentage will doubtless be to dissipate certain vague notions in respect to the comparative fecundity of the foreign and the native constituents of our population.

The following are the summarized statements for the United States: —

Number of persons of foreign birth	5,567,229
Number of persons having both parents foreign	9,734,845
Number of persons having foreign father	10,521,233
Number of persons having foreign mother	10,105,627
Number of persons having one or both parents foreign	10,892,015

Now, as it may safely be assumed for the purpose of such a comparison, that all persons returned as foreign born were also born of foreign parents (the facts undoubtedly corresponding to the assumption in nine hundred and ninety-nine cases out of a thousand), we obtain by deduction the number of persons born in the United States, one or both of whose parents were foreigners, as follows: —

Having both parents foreign	4,167,616
Having foreign father	4,954,004
Having foreign mother	4,538,398
Having one or both parents foreign	5,324,786

Or we may put these facts in another form. There are 4,167,616 persons born in the United States, both of whose parents were foreign; 786,388 who had a foreign father and a native mother; 370,782 who had a foreign mother and a native father; and by consequence 5,324,786 who had one *or* both parents foreign.[1]

It would add much to the value of these Statistics of Foreign Parentage if they distinguished, at least, the principal foreign nationalities. This, however, it was not deemed practicable to effect at the Ninth Census without sacrificing some of the inquiries specially enjoined by law. Yet while the Statistics of Foreign Parentage give no direct information as to the number of persons descended from the immigrants from any single country, they are susceptible of being treated, through somewhat remote but perfectly legitimate methods, so as to yield statistical evidence of a cumulative character competent, when in sufficient degree, to establish successively a presumption, a probability, or

[1] Of the foreign population of the United States, 67,997 in each 100,000 are between the ages of twenty and fifty. The ratio of males to females is 117:100.

a certainty in respect to the more rapid increase of one or the other of the two foreign elements which together constitute seven elevenths of the foreign population of the country. As the question whether the Irish or the Germans are increasing faster upon American soil, and under the conditions of American life, is one not of curious interest only, but also of serious social concern, I will, with your permission, indicate as briefly as the nature of the discussion will allow, the evidence which may be derived from the Census on this point.

We have for each State of the Union four facts: (1) the number of persons of foreign birth, (2) the number of Irish, (3) the number of Germans, (4) the number of persons having one or both parents of foreign birth. Now, it is clear that, were the proportions of the Irish and of the Germans to the total foreign population the same in each State, by turns, we should have no means of determining which of the two nationalities contributed the more largely to the product which we are contemplating, namely, the number of persons of foreign parentage. But, as matter of fact, the proportion between the second and third classes varies at every point; some States are strongly Irish; some strongly German. If, therefore, it shall appear that the States in which one of these foreign elements is in excess are generally those having the larger foreign parentage, there will be established a presumption, or even a probability in favor of the superior fecundity of that element, — using the word fecundity here to denote the *effective* increase by birth. A single instance would prove nothing, but a concurrence of instances upon one side might amount to a proof of a very high order.

In applying this test I have, for convenience as well as for the greater clearness and conclusiveness of demonstration, excluded (1) States which have less than ten per cent. (10%) of their population of foreign birth, the seventeen States thus ruled out — mainly at the South — aggregating a foreign population but little exceeding that of New York City; (2) States, the foreign populations of which are mainly made up of some foreign element neither Irish nor German; (3) the very new States, whose population has increased so rapidly in ten years as manifestly not to have allowed scope for the experiment of reproductive capability in such a degree and for such a time as to make the results of consequence in our inquiry.

These exclusions leave us only twelve States, which, however, embrace not less than seventy-three and one half per cent. of the

foreigners in the United States, seventy-nine and one half per cent. of the Germans, and eighty-two and one half per cent. of the Irish. Dividing these now as Irish or as German States according to the preponderance of the one or the other nationality, we have the following results: —

Of the Irish Group of States, there are in Connecticut to every 1,000 foreigners, 1,792 persons of foreign parentage on one or both sides; in Massachusetts, 1,772; in New Jersey, 1,853; in New York, 1,955; in Pennsylvania, 2,111; and in Rhode Island, 1,717.

Of the German Group, there are in Illinois, 1,942; in Indiana, 2,410; in Maryland, 2,174; in Missouri, 2,093; in Ohio, 2,281; and in Wisconsin, 1,969.

The average of the Irish Group is 1,941 persons of foreign parentage to 1,000 foreigners; that of the German Group, 2,084.

Now, it must be noted that in each case the 1,000 foreigners taken are embraced in the following larger number, a foreigner in this country being, as has previously been noted, presumably himself of foreign parentage. To obtain, then, the increase within the United States of these foreign elements, we need to deduct the constant number 1,000 from the second term of the ratio. This gives us to each 1,000 foreigners in Connecticut 792 persons born in this country of foreign parents; in Massachusetts, 772; in New Jersey, 853; in New York, 955; in Pennsylvania, 1,111; and in Rhode Island, 717; while the numbers for the States of the German Group are as follows: Illinois, 942; Indiana, 1,410; Maryland, 1,174; Missouri, 1,093; Ohio, 1,281; and Wisconsin, 969.

The average of the Irish Group is thus, 941; that of the German Group, 1,084.

Throughout this brief discussion of the facts of foreign parentage in the States of the Union, it has been assumed that the excess in the number of persons of foreign parentage over the number of persons of foreign birth in any State, expresses substantially the increase of this latter class. Exceptions undoubtedly exist, but they are so inconsiderable in comparison with the whole body treated, and they may so certainly be relied upon to offset each other, that, for the purposes of our argument, they may be entirely disregarded.

But we may go further in our investigations. The German and the Irish elements of the several States under discussion are naturally distributed with great diversity among the counties of

those States. There are strong Irish counties in German States, and strong German counties in Irish States; while in pretty much every State of either class, there are counties having the characteristic foreign element in a far higher proportion than the State as a whole.

If, now, the conclusion which we have drawn from the examination of the statistics of the States taken as entire bodies is correct, we ought to find that, as a rule, the German counties, whether in Irish States or German States, have larger ratios of foreign parentage than are found in the States themselves; while the strong Irish counties, whether in German States or Irish States, exhibit smaller ratios of foreign parentage than the States in which they are respectively situated. The results of this further inquiry, the detailed methods of which I need not recite, corroborate, in a very important degree, the conclusion previously recited. Of 91 counties selected by rules of exclusion of the highest degree of reasonableness,[1] and containing in the aggregate 934,321 Irish, and 898,625 Germans, 60 conform to the conditions indicated, while but 31 are adverse. The 32 selected Irish counties of the Irish Group of States, when taken collectively, exhibit the ratio 1,934 : 1,000; the 17 German counties of the same group, the ratio of 1,950 : 1,000. The 16 Irish counties of the German Group exhibit the ratio 1,867 : 1,000; the 26 German counties of the same group, the ratio 2,100 : 1,000. The whole effect, be it remarked, of the superiority in the respect of fecundity thus discovered is additional to the force of the inference drawn from the comparison of States as entire bodies. It seems, therefore, just to conclude that the German inhabitants of the United States are increasing more rapidly than the Irish among us, and that this result is due not only to peculiarities of location and occupation, but to qualities of stock developed under the conditions of American life.

What have been the principal Changes in the Occupations of the People during the Decade?

The difficulty we experience in treating this question is not due to the nature of the subject so much as to the fact that the Sta-

[1] These are as follows: —

(1) No county taken having less than five thousand foreign inhabitants.

(2) No county taken where the foreign population is made up, less than one half, by Germans and Irish combined.

(3) No county taken where the ratio between the German and the Irish inhabitants does not differ appreciably from that obtaining throughout the State at large.

tistics of Occupation at the Censuses of 1860 and 1870 are not strictly commensurable. From the failure to furnish adequate instructions at the Eighth Census, and from heedlessness in compilation, the published statements are in many instances without meaning to the reader, and, even when deciphered by an expert, are so little descriptive as to render anything like nice treatment impossible. On the other hand, the Statistics of Occupation for the Ninth Census include portions of the population excluded at previous Censuses by reason of chattelism or nonage. It is a task of no slight difficulty, therefore, to reduce the two statements to equal terms for just and ready comparison. As the statement of narrowest scope must afford the common measure of the two, the figures which I shall use for 1870 will be, not those contained in the Tables of Occupation,[1] but the figures as adjusted and equalized after the exclusion of classes not represented in 1860. For this purpose, it was necessary to compute the number of persons between sixteen and twenty years of age included in the several classes of occupations at the latter date. This computation has been made carefully by processes which I presume I shall be cheerfully excused from reciting.

What, then, are found to have been the changes of the ten years?

In the first place, the slaves of 1860 have been emancipated and the members of this (late) class were at 1870 enumerated in respect of their employments with the rest of the community. We must, therefore, make an addition to the published numbers of 1860 on account of those persons twenty years of age and upwards who were engaged in occupations in which they would have been reported, had they not been excluded by reason of their chattelism. The slaves of 1860 numbered 3,953,760. Of these 1,769,308 were between twenty and seventy years of age. How many of them would, if free, have been reported according to occupation? After many computations based on successive assumptions, I am disposed to place this number at one million two hundred and forty thousand, leaving five hundred and thirty thousand to be accounted for, as slave women keeping house for their families, — as in the slave-breeding States was the general usage — or as men or women debarred from actual employment by accidents or infirmities of one sort or another. Of this total of one million two hundred and forty thousand, probably one million and twenty thousand should be put down as farm or plan-

[1] Vol. on Population and Social Statistics, Ninth Census, p. 670 *et seq.*

tation laborers, and one hundred and sixty thousand as domestic servants. Sixty thousand more, on this assumption, were distributed through a considerable list of employments, but as it is manifestly impossible to feel any assurance in dealing with this element, we shall do well to omit it altogether for the purposes of this discussion.

We have, then, the four great departments of industry at 1860 represented in the occupations of the people as follows: Agriculture, 4,367,838; manufactures, 1,958,320; trade and transportation, 775,526; personal and professional services 2,261,051. Total (including the sixty thousand slaves unassigned), 9,422,735.

At 1870, 11,155,240 persons twenty years of age and upwards are returned according to occupations, being a gain of eighteen and four tenths per cent., the gain per cent. of population meanwhile having been twenty-two and one half. This total of 11,155,240 is divided as follows: Agriculture, 5,151,767; manufactures and mining, 2,500,189; trade and transportation, 1,117,928; professional and personal services, 2,385,356. Computing now the gain per cent. within the several principal departments of industry we meet with some most surprising results. In personal and professional service the increase in ten years has been five and one half per cent.; in agriculture eighteen per cent.; in manufactures twenty-eight per cent.; in trade and transportation forty-four per cent.

That while population has increased twenty-two and one half per cent., the increase in personal and professional services should be but five and one half per cent. appears startling. As we inquire into the items of the account, however, we not only find ample assurance of the truth of the statement, but we reach some most significant facts in the national situation. Two great bodies of persons combine to make up this department in so large a degree that their fortunes substantially control its increase. These are domestic servants and common laborers. In each of these classes there has been a marked falling-off, relatively, since 1860. Of common or day laborers, so called, that is, laboring men not permanently attached to any distinct branch of industry, there are actually fewer, twenty years of age and upwards, than at 1860. That this class should diminish with the higher organization of our industrial system was to be expected, but that it should have absolutely decreased in one decade, while population was making so considerable an advance, is not a little surprising. Doubtless the check given to Irish immigration has done much to

hasten the absorption of the common laborers by specific branches of industry. The greater accuracy of definition at 1870 may also have had something to do with this result.

Of domestic service in the Southern States, it would naturally be expected that the emancipation of the slaves and the impoverishment of their former masters would have driven the blacks from the house to the field, but this tendency seems to have been to a great extent defeated by the force of habits deeply bred in master and in man, and by the slow and painful recovery of industry from the prostration incident to the war. The border States, especially, still show a great excess of domestic service over the needs of the community, according to the standards of life in Northern and Western communities, due to an accumulation which there has not yet been time to drain off. At the North, so far as the increase in domestic service has kept pace with the increase in population, it has been mainly by the larger employment of boys and girls, and by the enlistment, in fast-increasing numbers, of Swedes, Canadians, and Chinese. Not less than 107,503 children, under sixteen years of age, were embraced in the domestic service of 1870. If we throw out these juvenile recruits, and allow for those between sixteen and twenty, who were not included at 1860, we should have the total number of servants but nine per cent. greater than ten years ago, though in the mean time population has increased twenty-two and one half per cent. Even when we count all ages and conditions of domestic servants we find the increase in the Northern States to be considerably less than the increase in population, showing that while social requirements have largely increased in respect to dress, equipage, and entertainment, while the appetites and tastes of our households have been rendered more difficult and exacting through the diversification of the national diet and the increasing consumption of spices, fruits, and game, while the Eastern States, especially, are assuming the semblance of greater leisure and luxury, the wives and the mothers of the great middle class, and nowhere so much as at the East, are discharging their domestic duties and maintaining their conformity to the demands of society, with a diminishing rather than an increasing body of hired help.

In other classes of personal and professional service, we find no changes during the decade especially deserving of comment. The lawyers have increased twenty-three per cent. in number; clergymen, seventeen per cent.; physicians and surgeons, thirteen

per cent.; professional teachers, twelve per cent.; the soldiers of the regular army of the United States have trebled since 1860.

Coming now to the general department of agriculture, we find, as has been said, an increase of eighteen per cent., being almost precisely the rate of increase in the whole body of reported occupations. In point of fact, however, this denotes a relative decline, though not excessive, in this department of industry, inasmuch as the division of labor and the use of labor-saving machinery cannot, in the nature of things, be introduced into the operations of agriculture to anything approaching the extent which the conditions of manufacturing industry allow; and consequently agriculture, to maintain the same relative share in the production of any country, should call in a steadily increasing body of laborers. The causes which have produced this result are not remote or obscure. When it is considered that the staple export products of Northern agriculture are little, if at all, higher, even on the seaboard, than before the war, while the articles which the agriculturist has to purchase for consumption in his business, or in the support of his family, have been increased in price from forty to eighty per cent. in the interval; when, moreover, it is considered that of the corn, wheat, pork, or beef, thus produced at disadvantage, one third, one half, or two thirds, according to bulk or location, must go to pay the charges of transportation from the farm to tide-water, it will not seem strange that, despite our extraordinary agricultural endowment, this great department of industry should have made such scanty increase during the constitutional decade just closed. Indeed, it is probable that the discouraging conditions of American agriculture, with a currency having no value in the commerce of the world, would have positively depleted this branch of industry in some degree, but for the fact that a large proportion of the farms of the Western States are held more in hope of the future than for present results, their owners abiding through all hardships in the confidence that the general growth of the country around them will in time make them independent, and even wealthy, putting meanwhile as much of their labor as is consistent with the immediate support of their families, into permanent improvements and increase of stock.

The manufacturing class has in ten years increased twenty-eight per cent. or five and one-half per cent. more than population. Does this measure the increase of manufacturing production? Manifestly not. In the industrial volume of the Census of 1870

[p. 379], the increase in the reported values of the products of manufacturing industry since 1860 (the two statements being reduced to equal terms), is given as one hundred and eight per cent. Of this increase fifty-six per cent. is there computed to represent merely enhancement of prices, both of materials and of labor. This would leave fifty-two per cent. as the actual increase in the volume of production, *i. e.* the number or amount of articles produced, quality being assumed constant. If, therefore, the amount of labor employed has been increased but twenty-eight per cent., and if we may assume that the personal efficiency of the average laborer has not improved during the decade, as it notoriously has not, we have an increase of twenty-four per cent. in manufacturing production due to the application of steam or water power, the introduction of machinery, and the simplification of processes. This may seem a very large statement, yet I am satisfied that it will bear investigation. In the boot and shoe manufacture, for instance, the actual increase in the quantity of goods produced, is in the neighborhood of thirty-two per cent., although the number of operatives above twenty years of age in that branch of industry has not increased since 1860. The necessary inference is that the increase has been through the introduction of machinery, and the application of power; an inference which is corroborated by the statement made to the Census office by one of the largest manufacturers of the country in this line, that the efficiency of labor in his establishment had been increased thirty-three per cent. within ten years by these means. In some branches the possibilities of mechanical invention are unquestionably much smaller, but in all departments, more or less, we have the fact of the extension of steam and water power to operations in which, ten years ago, only the strength of the human agent was employed. Unfortunately, for the purposes of this comparison, we have not the statistics of steam and water power prior to 1870, but the Ninth Census shows that 51,018 water wheels, with an aggregate of 1,130,431 horse-power, and 40,191 engines, with an aggregate of 1,215,711 horse-power, were at that date employed in the manufacturing industry of the United States.

In the common trades I will only note that while the blacksmiths have increased but twenty-six per cent., the carpenters have increased forty-two per cent.; painters, sixty-five per cent., and masons forty-two per cent. The rapid increase of all the building trades is one of the features of the present time most worthy of remark.

But it is when we come to the department of trade and transportation that we reach the greatest industrial change of the decade, if, indeed, the result we find may not be termed the greatest industrial feature of the situation.

Since 1860, the number of persons engaged in trade and transportation has increased forty-four per cent., against an increase in the total number of reported occupations of only eighteen and a half per cent., and against an increase in population of only twenty-two and a half per cent. But it may be asked, is not this due to the extension of our lines of trade, involving a rapid increase in the agencies and the agents of transportation? In some small degree this is true. I have, however, deducted, as far as was practicable, the classes engaged in transportation as by the Eighth and Ninth Censuses, and find the increase in the trading class proper to be still not less than forty per cent. What does this signify? How does this fact connect itself with the social and economical interests of the community? It may doubtless be read differently by many persons, but to my mind it corroborates strikingly the results of independent observations pursued for several years, to the effect that all branches of trading, and especially the department of retail trade, have had an extension in the direction of multiplying stores, shops, and stands, of maintaining an increasing number of employés of all classes, and of exaggerating the incidental expenses of "business," far beyond the natural requirements of trade, and, of course, at the expense of the consumers of the country. In other words, the people of the United States, if this diagnosis of the situation is correct, are maintaining a body of persons not less numerous than the standing army of the British Empire, and with a far greater number of dependents in the way of wives and children, than are charged to the officers and soldiers of that army: all in excess of the legitimate demands of exchange. This statement might even be made stronger without departing from the reason of the case, for as population deepens within any section, the exchanges of that section ought to be effected with a diminishing and not an increasing ratio of expense. Even the subdivision of trade, and the establishment of commercial specialties in populous communities, which might, on the first thought, seem to require an increase in the number of persons engaged, does most undeniably tend to effect a larger amount of exchanges at the same expense for wages of employés, transportation charges, and waste of material.

What has rendered such an increase in the trading classes pos-

sible? Has it not been the weakening and distracting of the economical sense of the country, by the debasement and perversion of the national currency? In a natural and healthful condition of trade, any increase in the number of the trading class, in excess of the amount of trading to be done, would require the same amount of profits to be divided in smaller individual shares, and the effect would thus be to starve out the superfluous members, the poorest first, as is right, driving these to other more directly productive branches of industry, for which they might be found better qualified than for the difficult and delicate duty of exchange. Such a condition of things will always exist when the standard of value is sound, and such a condition is essential to restrict the gross profits of exchange, and, by consequence, the number of exchangers to the actual wants of trade. If the community be in the saving vein, as is always the case under an honest currency; if individual purchasers part slowly with their money, looking after every penny to see that it brings its worth, the pressure on the trading class will be steady and constant, and merchants mark up their goods at the peril of having them left on their hands. If others offer on lower terms, these are at once sought out and patronized. A community in this mood will put up with no nonsense in prices. Only a stern and determined effort, originating in and justified by an actual advance in cost, will be sufficient to raise the price of any article against the determined resistance of the whole community, or to keep up the price thus advanced one day after the substantial reason therefor has ceased.

If, on the other hand, the economical sense of the community is deceived by a false standard of value; if, by the introduction of credit into the currency, every one is made to feel full and flush; if, without any reason in the case, people are sanguine and easy tempered; if they look into their purses and count their money by hundreds when its real value, its purchasing power, is only in fifties; if they are under this economical illusion, which may become as complete as any optical illusion which it is possible to produce, then prices will work their way up, little by little, under the acquisitive and progressive force of the trading class. One dealer puts up the price of an article a few per cent. His customers feel too indifferent to inquire strictly for the reason, or to seek lower terms elsewhere. The imposition passes unrebuked, and soon the whole trade are abreast of their more adventurous comrade. Even those dealers who seek to enlarge their business and

work into public patronage through reasonable prices, fail to be appreciated and rewarded. They find that people do not care enough for a little saving to go much out of their way for it, or to leave the more accessible or more fashionable localities, and they too soon give in to the plan of large profits and small sales, which has become the great fact in American retail trade. In such a condition, the effect of competition to bring down prices becomes reduced to a minimum, while the power of individual or associated acquisitiveness to advance prices rises to a maximum. And if this weakening of the economical sense of the consuming classes allows prices to be pushed up unduly by the trading classes, whose acquisitiveness is rendered only the more active and aggressive by the very causes which diminish the power of resistance in the general community, much more is it effective in maintaining prices once established, long after even the show of reason for the advance has ceased. It is only when the trading classes are followed sharply up by the economical sense of a community, acutely alive to the necessity of saving all that may be saved, and intelligent as to the proper relations of price, that they will, in popular phrase, be as quick and ready to "hear a fall" as to "hear a rise."

It is, in my opinion, nothing but the perversion of the economical sense of the country which has rendered it possible for the trading class to multiply so rapidly within the last ten years, far beyond the rate of increase in any other department of industry.

I have not, however, intended in these remarks to thrust my views on the philosophy of the currency upon the Association, but merely to suggest a probable explanation of the striking statistical fact noted, an explanation which, in the hurried course of this discussion, might fail to arise in the minds of some who are present.

ON PUBLIC VACCINATION.

READ AT THE GENERAL MEETING IN BOSTON, MAY 14, 1873. BY FRANK P. FOSTER, M. D.

THE subject of vaccination, as being, beyond all comparison, the most efficient means of protection against the direst scourge which ever afflicted the human race, is always of paramount interest to the community at large. This interest is intensified whenever, as during the last three years, small-pox is extensively prevalent; and at such times, especially, it seems fitting that we should consider in what respects, if any, we have been remiss in the administration of this great blessing, and how we may enlarge and perfect its management. My experience in charge of the Vaccine Department of the New York Dispensary, during the last seven years, has brought to my knowledge many facts bearing upon the questions which arise in connection with public vaccination, and upon these I found my apology for appearing before you at the present time.

It is needless to discuss the radical question of whether or not vaccination does really afford protection against small-pox, although it is not very uncommon to hear doubts expressed as to this point. The teachings of the epidemic in Europe and America during the past three years have been amply confirmatory of the experience of more than three quarters of a century in every civilized country of the world — to the effect, namely, that, in the vast majority of cases, vaccination furnishes perfect protection against small-pox. Unfortunately, however, this protection is, in very many instances, not lasting. I am aware that the contrary is affirmed by a great many persons who may be presumed to be more or less conversant with the facts, and who are accustomed to state that one *proper* vaccination furnishes life-long immunity from small-pox, explaining away cases of post-vaccinal small-pox by the very easy assertion that the vaccination was not of the proper sort. The utter falsity of this sort of talk is constantly demonstrated in practice. I will instance the striking case recently related to me by Dr. E. C. W. O'Brien, Health

Physician of the city of Buffalo, of a man who, during several months, was employed to drive the ambulance used to convey patients to the small-pox hospital in that city. He had been vaccinated in early life, but declined re-vaccination at the hospital. For months, nevertheless, he escaped infection. Why? Because, undoubtedly, of the protection afforded him by the vaccination done in infancy, and which must, therefore, have been "of the proper sort." Finally, however, having in the meantime quit his employment, he took the disease and died. Why? Because the protective influence of his vaccination had at length ceased.

We may, perhaps, admit that in certain cases — not a majority, I believe — the protection lasts through life. The ordinary course of events, however, is that the immunity, complete at first, becomes weakened in the lapse of years, only modifying (and often very slightly) the effects of the variolous contagion, until finally it fails to oppose any resistance whatever to the disease.

These are unpleasant facts, but we shall never gain anything by underrating our opponent's strength. Is there, then, nothing more to be done? Mr. Marson and others have published observations which, so far as they go, tend to show that the degree and duration of protection are proportionate to the *amount*, as well as the quality, of the vaccine disease — that two simultaneous insertions of vaccine lymph are more fully protective than one, three more than two, and so on. This statement is repugnant to the theories very largely entertained in regard to contagia, but it is supported by analogy, and, at all events, it rests upon facts which are worth more than all the theories ever invented, and it would seem the part of prudence to act in accordance with it, even if we do not accept it as demonstrated. It may be, however, less material to us in this country than to Europeans, for the reason that with us vaccination is commonly done by scarification, whereby a relatively large extent of skin is implicated, whereas, in Europe the method by puncture is very largely employed; so that one of our vesicles is likely to equal two of theirs in size. If humanized lymph be employed, probably two insertions would fulfill the requirements indicated by Marson. If the animal virus be used, one insertion will be sufficient, as, with this virus, the size of the vesicle, compared with that of the scarification, is greater.

Along with this attention to the amount of *efflorescence*, it is considered important that a constitutional reaction — the vaccinal

fever — should be noticeable. Bryce, of Edinburgh, many years ago, called attention to a method of determining positively the occurrence or non-occurrence of constitutional infection — by repeating the operation before the expiration of five days. If the constitutional infection is present, the second insertion will give rise to a vesicle which will follow an unusually rapid course, overtaking the first one, although not attaining so great a size; and the two will end in incrustation together. This is known as "Bryce's test," and I have no doubt that its employment, in cases in which the vaccinal fever is not apparent, would greatly increase the protection of the community, and perhaps altogether prevent those rare cases of non-protection after apparently satisfactory vaccination. If, in any instance, the response is unsatisfactory, we should keep on vaccinating until the desired result is obtained.

But, far more than to any incompleteness in first vaccinations, we must impute the continuance of small-pox amongst us to the too prevalent neglect of *re-vaccination*. To obtain a policy of insurance, is well; to attend regularly to the payment of the premiums, is, however, equally necessary. We have no means of determining *à priori*, who are those fortunate individuals who need but one vaccination to protect them through life. We do know, however, that more than half the community can be re-vaccinated with more or less success as often as once in five years, and it is fair to presume that those who can be successfully re-vaccinated are more or less liable to take small-pox if the operation be not repeated. As often as once in five years, then, every man, woman, and child, should be re-vaccinated, unless some special contra-indicating circumstance be present — and oftener, if small-pox be epidemic. No regard, whatever, should be paid to the dicta of those who dilute the one vaccination theory to the belief that re-vaccination should be deferred until after puberty. There is little more than mere speculation in this theory. Let every individual remember, that by putting off his re-vaccination until an epidemic forces him to it, he endangers not only himself, but every other person in like predicament — in this way; when the panic comes, multitudes have to be vaccinated, no matter how inadequate the corps of vaccinators or the supply of virus. The result is, that improper virus is often used, and, at all events, the operation is hastily, and perhaps inefficiently, done. I well remember the panic of the winter of 1865 in New York. For weeks together, the waiting-rooms of the New York Dispensary,

and of the other leading dispensaries, were thronged with what might fairly be called a vaccine *mob* — so eager were the people to make amends for past remissness. Policemen were, for many consecutive days, in attendance to maintain order, and even then, the other business of these great charities had to be almost wholly given over, so that many hundreds of the sick poor were debarred from the attention which they ordinarily received. And all this might have been avoided, had re-vaccination been *regularly* availed of.

But not only do we see gross neglect in the matter of *maintaining* the protection afforded by vaccination; even *primary* vaccination has, with many people, never been attended to. This is fairly illustrated by the following extract from my last annual report to the Trustees of the New York Dispensary: —

"Of the eight hundred and forty persons vaccinated, *for the first time in their lives*, at the New York Dispensary, during the year 1872, —

57	were	three months old or younger.					
362	"	between	3 months and one year old.				
204	"	"	1 and 5 years old.				
71	"	"	5	"	10	"	
52	"	"	10	"	15	"	
36	"	"	15	"	20	"	
13	"	"	20	"	25	"	
23	"	"	25	"	30	"	
5	"	"	30	"	35	"	
7	"	"	35	"	40	"	
2	"	"	40	"	45	"	
1	was	"	45	"	50	"	
3	were	"	60	"	55	"	

"In four cases the age was not recorded. The youngest person vaccinated was one month old, and the oldest fifty-five years. Thus, then, out of eight hundred and forty unvaccinated persons who applied for vaccination during the year, two hundred and thirteen (more than a quarter of the whole number) were over five years of age, and presumably, daily going about the city without any protection whatever against small-pox."

Neglect, however, does not tell the whole story. There is, with many, an actual *hostility* to vaccination. It is true that we have, as yet, no "anti-vaccination leagues" in this country, so far as I am aware, but it is very common, in private practice, for us to meet with those who obstinately refuse to be vaccinated, and, as

witnessed in public practice, there are very many whom not even the presence of a variolous epidemic can induce to submit to the operation. Leaving out of account the few examples of mere eccentric perversity, this opposition to vaccination is, almost wholly, founded upon a dread that the virus with which vaccination is performed may convey to the person vaccinated some superadded *taint*. This feeling is very wide-spread in the community, and, although resting upon a very slight foundation, nevertheless there are some facts to support it, which it is impossible for us to explain away to our own satisfaction — much less to that of the public; so that argument upon this question is almost entirely thrown away. Should we, then, attempt to cut the Gordian knot by the adoption of *animal vaccination?*

That such a course would silence the opposition alluded to, there is not the slightest doubt. Such has been the case whenever the trial has been made. As an example, I may mention the case of the city of Buffalo, where, during the past winter, the corps of public vaccinators, by using the animal virus, were able to perform upwards of fifty thousand vaccinations after, as the Health Officer assures me, the number of those whom they could persuade to be vaccinated with the old humanized virus was very nearly exhausted. I have yet to meet with any opponent of vaccination whose scruples were not immediately dissipated at the mention of the animal virus.

Since then, animal vaccination enables us to spike the guns of the anti-vaccinationists, we cannot avoid the conclusion that it should be generally adopted, provided it be shown to be equally safe and efficient. This leads me to a consideration of the alleged advantages and disadvantages of animal vaccination.

It is well known that there are, in the medical profession, on the one hand, certain persons who claim that the long-humanized vaccine has degenerated and lost much of its efficiency, while the animal virus furnishes the only reliable protection against small-pox; and, on the other hand, certain other persons who maintain the contrary, and who, with a sort of religious fervor, anathematize any deviation whatever from the practice of vaccination as handed down by Jenner — as if it were a sort of inspired revelation, rather than a matter of scientific inquiry. These extremists have waged a warfare seldom surpassed in bitterness, but, fortunately, it has not, to any great extent, been waged upon our territory; so that, in this country, the practice of animal vaccination, which seemed in such great danger of being strangled,

either by its friends or by its foes, has been judged upon its merits, and the conclusions which we have arrived at are not likely to be overthrown by future experience. In stating these conclusions, the limits of this paper compel me to be brief and, to a certain extent, authoritative rather than argumentative. It is but fair, therefore, that I should state that what I have to say of the results of animal vaccination rests upon facts which have come under my own observation as director of the Vaccine Department of the New York Dispensary (which introduced the practice of animal vaccination into New York in the year 1870), or facts which have been reported to me by public vaccinators in various cities and towns, to whom I have furnished the animal virus.

(1.) *Vaccination with animal virus is equally as protective against small-pox as is vaccination with humanized virus.*

This, which De Paul had already proved by experimentally inoculating with small-pox virus those whom he had vaccinated with animal vaccine, has been the result of general observation in this country, where, in most of the principal cities, epidemics have been promptly cut short by vaccination done, to a very great extent, with the animal virus.

I do not, however, see any reason to believe that animal vaccination is any *more* protective against small-pox than the "Jennerian," and it seems to me that those who make the assertion are injudicious advocates of the measure, and likely to damage its repute by claiming too much for it. It is true, that the vesicle resulting from the insertion of the animal virus is generally larger and better developed than after the use of humanized virus — but we cannot, therefore, assume that the systemic effect is any more marked. The most we can say is, that, so far as concerns the ratio between the degree and duration of protection and the *amount* of vaccinial efflorescence, the advantage probably lies with animal vaccination.

(2.) *Animal lymph infects ("takes") as surely as the humanized.*

The facts upon which this statement rests comprise about one hundred thousand cases in which *stored* animal virus was used, and in which the results were either inspected by myself or reported to me by public vaccinators. These results have, therefore, to be compared with some established standard of results in the use of *stored* humanized virus. Such a standard, as given by Dr. Edward C. Seaton, Medical Inspector to the [English] Privy

Council (in his "Handbook of Vaccination," p. 161, London, 1868), requires ninety-five per cent. of successes in primary cases. Our results with the animal virus have been more favorable than this, in spite of the disadvantages entailed in having to distribute virus over a larger extent of territory than had to be done in England, and by means of transportation notoriously slower and more uncertain.

Our successes in re-vaccinations (including only such cases as showed marks of previous small-pox or successful vaccination), reckoning both perfect and partial successes, amount to more than eighty per cent. — or more than fifteen per cent. better than the best results given by Seaton as having been reported from the British military experience, and which appear to him "to represent a larger ratio of complete results (perfect vaccine vesicles), than we ordinarily meet with in civil practice." (Seaton, *op. cit.*, p. 278).

As a matter of course, what is known as *arm-to-arm* vaccination, in which the *fluid* and (so to speak) *living* lymph is conveyed directly from one person to another, furnishes a still larger ratio of successes, and should, according to Marson, not fail more than once in one hundred and fifty cases. Except, however, in the limited circle of a single family, arm-to-arm vaccination is not usually practicable, even in private practice, and, obviously, it would ordinarily fail to meet the emergency of an epidemic, when thousands of vaccinations have to be done within the shortest possible time. Moreover, we should not lose sight of the fact that public arm-to-arm vaccination, on a large scale, is, even when practicable, more or less of an outrage upon the child who serves as vaccinifer, as it inevitably worries him, and, unless done with the most consummate skill and the most scrupulous attention to cleanliness (neither of which is apt to be exhibited in the hasty vaccinations done during a panic), subjects him to a considerable risk of contamination. It is a fact that most of the cases of vaccinal syphilis on record occurred as the result of arm-to-arm vaccination.

(3.) *Animal lymph can be preserved as long as the humanized, and suffers as little in transportation.*

This fact is of the utmost consequence in our extensive and sparsely populated country, since the whole community derives its main supply of vaccine from a few centres of distribution. In our animal vaccination service, we renew our supplies at very short intervals — daily during an epidemic, and two or three

times a week during the greater portion of the year — so that our lymph is always what may be termed *fresh;* nevertheless, repeated observation (including a considerable number of experiments made for this particular purpose) have convinced me that this lymph, even when three weeks old (provided it has been kept *cool* and *dry*) will furnish results in no way inferior to those which I have mentioned. As to the matter of transmission to long distances, I have sent it in large quantities from New York to the Gulf States and to the Western Territories, and the reported results have been equal to those in which it was used in the city of New York. My experience in sending virus to the Pacific coast has been almost entirely limited to a few hundred quill-slips sent to San Francisco during the terribly hot summer of 1872. The reported results were not satisfactory, but I consider that the ordeal of a ten days' journey, with the thermometer constantly in the neighborhood of 100°, was more severe than any dry-stored vaccine could be expected to pass through without losing its activity — at all events, in the present state of our knowledge concerning the circumstances which favor or hinder its preservation. It should be understood that, in these remarks, I refer exclusively to *dried lymph*, as I do not consider any other form of stored vaccine, either animal or humanized, to approach this form in efficiency. This, so far as I am aware, is the unanimous testimony of all experienced public vaccinators.

(4.) *The effects of animal vaccine upon the individual are not, in general, more severe than those of the humanized variety.*

In this, as in all other statements relating to animal vaccination, in this article, I refer to the practice of propagating the cow-pox from a spontaneous case through a series of calves, and *not* to the use of primary lymph (that taken directly from a spontaneous case), or of that resulting from the variolation, equination, or retro-vaccination of the cow.

The charge denied in the statement is one of those most commonly and most pertinaciously made against animal vaccination, and yet none is more completely refuted by experience. It is especially noteworthy that the effects of the animal virus upon *infants* are even milder than those of the old humanized stock. I have never seen or heard of a case in which the animal lymph gave rise, in a child, to sufficient irritation even to cause suppuration of the axillary glands — a very common complication after the use of humanized virus. It is an unfortunate fact, that the operation of vaccination (like the prick of a pin and many other

trivial injuries) is occasionally followed by severe inflammation of an erysipeloid character, which may occasion, once in some millions of cases, the loss of an arm or of the life of the individual. Even in the rare cases in which this is said to have occurred, there is room for very serious doubt whether the vaccination was really the cause of mischief. A case in point will illustrate the reasonable character of this doubt: A physician of my acquaintance made an engagement to vaccinate a child on a certain day. He was prevented from doing so, and the child was not vaccinated. In about a week from the appointed day (the time when, if the child had been vaccinated, inflammatory trouble might have been looked for), the child sickened with erysipelas, which began at the insertion of the left deltoid muscle (the common seat of vaccination) and proved rapidly fatal. If that child *had* been vaccinated at the appointed time, no amount of argument would have convinced any layman that the vaccination was not the sole cause of the child's death. Such an occurrence may happen again at any time — even after vaccination with animal virus — so that it would be foolhardy to claim that the use of this virus can never, by any possibility, be followed by serious inflammatory trouble. I will simply repeat, that nothing of the sort has ever come under my observation, although I have seen several cases of severe inflammation, and one of pyæmia, following the use of the old stock.

In the case of adults (or, to be more precise, in cases of re-vaccination), the animal virus, like the humanized, often produces a result of some severity, although I have never seen anything of the sort which I regarded as at all dangerous. Occasionally there are eruptive vesicles, which amount to nothing more than an annoyance; or, there is ulceration, very limited in extent; or, the constitutional reaction (fever) is unusually severe, with chills, pain in the back, nausea, malaise, etc., lasting, however, only a few hours. These complications are, perhaps, slightly more frequent after the use of the animal lymph than after that of the humanized.

From these considerations, then, we are warranted in concluding that animal vaccination is a safe and efficient preventive of small-pox, and, as such, it is the duty of those charged with public vaccination, to make use of its popularity to enable them to vaccinate the greatest possible number of people.

Animal vaccination has, of course, its disadvantages, which, although they do not, for the most part, directly affect its availa-

bility, are still worthy of brief mention, in order that they may be, to some extent, overcome.

In the first place, it is very expensive, and therefore can only be carried on continuously by those who are in a position to derive a revenue from it. The fact of such revenue being possible is, in times of an epidemic, apt to become a prime consideration with persons who, knowing little of vaccination in general and less of animal vaccination in particular, hurriedly attempt the establishment of an animal vaccine service, and are thus very apt, by their imperfect results, to bring discredit upon the practice.

In animal, as in other vaccination, it occasionally happens that the lymph taken from a particular vaccinifer proves, from one reason or another, comparatively feeble; and, inasmuch as a larger *amount* of lymph is usually taken from a single calf than from a single child, of course, a larger amount of feeble virus is distributed. This is not very likely to happen to an experienced operator, and any untoward result can always be guarded against by not issuing any virus until it has already been tried upon animals. Before such a course can be generally adopted, however, the medical profession must be brought to realize the fact that vaccine lymph need not be so *very* fresh, as is commonly insisted upon.

These disadvantages weigh but little against the popularity of the animal virus, whereby almost the entire community may be prevailed upon to submit to vaccination; and are more than counterbalanced by the certainty with which large quantities of animal lymph may be supplied at short notice. At a certain time last winter small-pox was epidemic in Buffalo, Boston, and Baltimore, besides numerous other smaller places, so that our institution was called upon to supply an unusually large amount of virus. Just at this time I received, from one of those cities, a telegraphic order for quill-slips sufficient for six thousand vaccinations. I sent the whole amount within twenty-four hours after the dispatch was received. Can it be supposed that such an amount of humanized lymph could have been collected in so short a time without calling in the aid of unskilled assistants, and without an undue relaxation of that careful discrimination which should govern us in selecting our sources of vaccine?

Second only to the *source* of the vaccine to be used, is the *form* in which it should be employed. Public vaccinators in America are acquainted with three principal forms of stored vaccine, — *dried lymph* (on quill-slips or ivory "points"), *capillary glass*

tubes filled with liquid lymph, and *crusts*. Those who make the appropriations of money to defray the expense of public vaccination consult chiefly the price lists, and are led to favor procuring that form of virus which, for a given amount of money, can be made to do duty for the largest number of vaccinations. Hence, at the beginning of an epidemic, the preference is generally given to crusts. The consequences of this "penny wise and pound foolish" policy are always disastrous, as they would be in any other serious transaction. It cannot be too often or too emphatically repeated, that, according to the universal experience of trained vaccinators, in every country, crusts are the *very worst* form of vaccine. They are, indeed, as some one has said, fit for little else than to be affixed as seals to certificates of vaccination. The reason of this is, that they are unreliable. One particular crust may work charmingly, but ninety-nine others (equally fresh, equally as well formed, and as well preserved) may not work at all. Meantime, the epidemic has gained headway, and much of the work has to be done over, to the disgust of those who are subjected to it.

Tubes are little better, and should be restricted to cases in which it is wished to send virus to a great distance, and through a hot climate.

Dried lymph is more expensive, but it is also more efficient; and it is to be hoped that the small-pox prevalence of the past three years has taught local sanitary boards that whatever is worth doing at all is worth doing well.

THE INTERNATIONAL.

By D. A. Wasson, and read at the General Meeting in Boston, May 15, 1873, by Dr. D. F. Lincoln.

As a special body, the so-called "International Association of Workingmen" is nine years old; but its real history began three quarters of a century since. When at length Robespierre gave the iron of the guillotine one recommendation by laying his own neck under it, a hanger-on of his, Babeuf by name, undertook to form a secret association, known as the "Society of Equals," whose purpose it should be to realize unsparingly those ideas of equality, which had been embodied by Rousseau, and had inspired the Revolution. Rousseau, however, while asserting the absolute personal equality of all men, had forgotten to inquire how the fact of private property might compare therewith. His contemporary, Mably, supplied the omission. The latter contended that there could be no real equality without equalization of possession, and predicted that the world would be ever in a blaze until this should be brought about. Babeuf and his Jacobin associates caught at the pleasing suggestion, and prepared the brand. They proposed, in sum, that manual labor should be made equal and universal, under penalty; that he who refused to surrender, for the use of others, all surplus above the necessaries of life, should be treated as a criminal, — sent to the guillotine, that would signify; that State and Church should be forever abolished; that the higher culture should be strictly prohibited, with universities, philosophy, poetry, art, learning, and the learned professions; that education should be the same for all, and limited to reading, writing, arithmetic, geography, and history; and that the press should be constrained, by a rigorous censorship, to keep within the required bounds. In April, 1796, Babeuf, with Darthé, Buonarotti, and others, caused to be printed and spread abroad a circular called "The Manifesto of Equals," in which the principles of the Society were set forth, and popular adhesion to it invited. A month later, the Association counted sixteen thousand members. Then the Directory, stepping in, relieved Babeuf of his head, and France of his enterprise. But it was this temper of the populace which rendered

republican government impracticable, forced a choice between anarchy and despotism, and made a place for Napoleon.

That "Society of Equals" was the nest-egg of the International. The line of derivation is still to be traced, as will presently appear.

Let us pass to the epoch of the July Monarchy, 1830. Under the reign of Napoleon and "glory," and again beneath the shadow of the Bourbon under-lip, the seed planted by Rousseau and the Revolution had grown, though under bad conditions of climate. Rousseau's house was one of two stories; first, Egoism is the only authoritative principle, and in every man absolute; secondly, Equality, or the equilibrium of all egotisms is the ideal condition. That ideal had proved wholly fascinating; philanthropy embraced it, a new Titania fondling the ass' head; the Puck of world-history had begun a new play, and would play it out.

But of that ideal, socialism is obviously the only realization. So, during the period we have passed over, St. Simon had dreamed his long, unquiet, fervid dream of a religious socialism, with equality and the delights of Eden restored; while Fourier, his contemporary, but over-lapping him by twelve years (died 1837), had been building his colossal scheme, of which the ground thought was this: that with adequate socialistic management, absolute self-indulgence in the individual is all-sufficient, and will work out a perfect felicity for the human race. Upon these had followed, or were soon to follow, a troop of socialist writers and experimenters, — Bazard, Enfantin, La Mennais, Pierre Levoux, Proudhon, Victor Considérant, Cabet, Louis Blanc, etc., etc. In Stein's book,[1] the bibliography of socialism and communism at this epoch occupies more than thirteen pages large octavo. In fine, with the opening of Louis Philippe's reign, socialism, in its various shapes, came distinctly to the front, as representing, — it alone perfectly, — "the ideas of the Revolution." From 1830 it becomes a feature, and from that date to 1871 a continually growing feature of the history of France.

Side by side with this, and with the same date, arose another movement, destined to become one with it, but at first quite distinct. It was the democratic agitation, which upon the accession of Louis Philippe broke out with great violence. Secret societies were formed in this interest, of which the most important were

[1] *Der Socialismus und Communismus Frankreichs von 1830 bis 1848.* Von L. Stein. Leipzig, 1850.

the "Society of Human Rights," and the yet more formidable one of the Carbonari; fierce insurrections arose, one in 1832, another in 1834. It was an unquiet time, seething like a caldron with the "ideas of the Revolution" and the passions of the hour. Seducing imaginations, and whispering plots, philanthropy and assassination, hearts hot with love and hands red with murder, — all opposites were mingled, and together would weave the tissue of "the new time."

The insurrections, however, had one effect little anticipated by those who had chiefly contrived them: they disturbed business, caused great financial embarrassments, and thus disgusted the well-to-do *bourgeoisie*, — at the outset well inclined to democratic government. These, accordingly, drew off from their associates, the proletarian populace, and lent their support to the monarchy. The proletariat, enraged at the defection, deprived of a moderating element, and left to their own devices, quickly became more violent in opinion and more desperate in temper.

It was at this opportune moment, in 1836, that Buonarotti, a former associate of Babeuf, brought out a life of his leader. In this he endeavored to convince the democratic populace that Babeuf's aims were in fact the same with their own, and that only by his method could they arrive at a real equality with all others. The publication was a spark to the tinder. The proletariat had been little attracted by the religious enthusiasm of St. Simon, or the vast system-building of Fourier; and so much the less that neither of these projectors admitted of coercion as a means to give his schemes effect. A crass communism was more suited to the quality of their minds, and compulsory methods to the quality of their temper. They caught eagerly at Buonarotti's Babeuf; and a coalescence of low-class democracy with low-class socialism set rapidly in. Secret associations quickly sprang to represent this union, such as the "Society of Families," the "Society of the Seasons," and that of the "Travailliens Egalitaires." The last named established a journal, "L'Humanitaire," to be its organ; and it professed a communism coarse to the last extreme. Not only was private property to be utterly abolished, but the family and marriage also, — this last because marriage "makes the free-given flesh a personal property, and thus renders impossible that happiness of a community of goods, which recognizes no property whatsoever." Out of these nests a savage insurrection was hatched in 1839, to be followed by another in 1840.

In 1841 came another event, — the publication of Louis Blanc's powerful and perverse pamphlet on the "Organization of Labor." To account for the effect of this, we must, despite all pressure for space, glance at an influence hitherto unnoticed. With the present century began a vast economical change, caused by the invention of steam-power and its application to manufacture. The effect of this was to separate capital and labor, locating them in distinct classes, to a degree never known before. Under the old industrial régime, a master-weaver, for example, was truly a master in business, and yet no capitalist. He had in a small space, his little collection of inexpensive looms; he had his two or three journeymen and his two or three apprentices, to whom he was not merely an employer, but instructor and protector as well, while they stood to him in the relation of pupil and ward. These together formed an industrial family, eating at the same table, living on terms of cordial human fellowship; and not the less that there were, as in the natural family, authority on the one side and obedience on the other. Each journeyman, meanwhile, and each apprentice was a candidate for the position of master himself; and needed only industry, frugality, and skill to attain it. The introduction of steam and machinery swept all that away. The master-weaver is replaced by a capitalist, not a weaver himself; the other members of the industrial family are replaced by operatives, destined to be only and always operatives. The latter, without hope to rise, socially isolated, and massed in manufacturing cities, might almost be said to form an industrial caste of low degree. Their spurious ideal of equality, or an "equilibrium of all egotisms," stands in contrast to this actual condition, with its sharp, unchangeable distinction of upper and under. Their imaginations have gone beyond all bounds of reason in one direction; their practical condition is pushed in precisely the opposite direction to an extreme that really does compromise social unity and health. That contrast and complication of opposites makes up the modern situation; and a truly distressing one it is, — for a right minded man is drawn both ways at once.

Now, Louis Blanc played upon both strings, and with great effect. Recognizing the real evils of the industrial condition, but looking at them from the leveler's point of view, — therefore with a false eye, — he signalized competition as their source. The remedy he proposed was exceedingly simple and summary, and therefore well suited to the popular taste. It was this: gov-

ernment, with its superior resources, should enter into competition with private capitalists, produce more cheaply, under-sell, ruin them, drive them from the field, and become itself sole capitalist. At the same time, democratic government should be established, — democracy in the extreme sense; not even the manager of a workshop to obtain place but by popular election. Then, competition being at an end, "the people" could vote themselves a rate of wages to suit their own pleasure.

This fine plan perfected the fusion of the socialists and the democrats. The latter were delighted with the proposed adoption and extension of their method, that of voting; the former were no less delighted that private capital could be extinguished by a means so simple and direct. From that epoch democracy and compulsory socialism became, in France, one and the same fact. Before this it was, that, seven years later, "the citizen king" forsook his throne and fled. Then came the provisional government, vainly trying to pacify the socialist democracy with labor, loans, and Lamartine; and then cannon thundering, through the streets of Paris, "The empire is peace."

Meantime, the French infection had spread into Switzerland, the Rhine provinces, South Germany, Saxony, Silesia, — had spread into all the manufacturing localities of Central Europe. Here, again, writers, writers; preachers also, and prophets and apostles; hot incubation upon the communistic egg; cliques, cabals, *bands*, agitations, and great expectations, and great enterprises in hand; until at length the Swiss government, — a republican government first, — had to intervene, and say, "Thus far." Here, too, socialism and democracy stood apart for a time; indeed in 1846 a bitter war was waged between them. The years 1848 and 1849 brought them together, to make common cause against the common enemy; together they shared the dangers of the field, together saw their cause go down and bite the dust; and thus here, also, a foundation for future union was laid.

We pass now to London, with the date of 1850. In that city, some years earlier, had gathered a nest of communistic irreconcilables, refugees from Germany chiefly. A Bund had been formed from which, in 1847, issued a "communistic manifesto" so described by themselves. 1848 and 1849 called them to the Continent, to take part in the revolutionary struggle; but 1850 found them back again in the old refuge. The Bund was renewed, and a *Centralbehörde*, or governing committee, chosen, with a purpose to immediate and effective action. This commit-

tee speedily put forth another, and most remarkable, address to the proletariat of all Europe, covering fourteen pages octavo; and, as will presently appear, we have every occasion to bestow upon this document something more than a passing glance.

At that time these men thought the revolution sure to break out again soon, and to sweep all before it. The victory would be won by the union of two parties, the communists and the small-property democrats, — *Kleinbürgerische democratischa Partei.* The committee, not at all doubtful of the event, were concerned solely about this question: After the victory, what? The answer was: After the victory, we are to turn instantly upon the democrats and crush *them.* This was the great point of that most instructive paper; and it was urged with a vigor and precision of statement, a pitiless hardness of temper, and a height of cold passion, not easily surpassed. About that premeditated treason to their allies, no relenting of kindness, no scruple of honor, stirred in their breasts; no word affords, no reading between the lines can discover, one trace of magnanimous misgiving. But why were the democrats to be crushed? Because from the moment of victory, *they* would become the sole remaining defense of private property. That system was to be swept away, and not a vestige of it left. "We are not concerned," say the committee, "for a change of private property, but simply for its annihilation:" [*Es kann sich für uns nicht um Veränderung des Privateigenthums handeln, sondern nur um seine Vernichtung.*] As bound to this system, the democrats were to be spared only while they could be used as instruments, and after that trodden into the dust. With a view to this last victory, — disregarding the intermediate one, whose certainty was assumed, — the proletariat were counseled to procure arms, elect military leaders, drill in secret, and thus to prepare themselves, in means as in temper, for the last grand enterprise, that of slaughtering democracy and private property with the same sudden stroke, and burying them both in the same dishonored grave. Meantime it should not escape notice that in this paper the last atrocities of the Parisian communists in 1871 were invited and approved twenty-one years in advance. "Far removed," say these philanthropists, "from opposing the so-called excesses, the examples of popular vengeance on hated individuals or public buildings connected only with odious memories, we must not only endure these examples, but ourselves take the conduct of them in hand:" [*Weit entfernt, den sogenannten Excessen, den Exempeln der Volksrache an*

verhassten Individuen oder öffentlichen Gebaüden, an die sich nur gehässige Erinnerungen Knüpfen, entgegen zu treten, muss man diese Exempel nicht nur dulden, sondern ihre Leitung selbst in die Hand nehmen.]

Who were these men? The already formed core of the International. Karl Marx, now prophet and pope of that association, was the author of the address. In 1850 the members of this Bund, whose direct successor the International was to be, not only were communists themselves, — so hardened in opinion and heated in temper, — but believed the communists of Europe numerous enough to win a final victory in arms. The revolution, however, refused to be forthcoming; and twelve years of helpless waiting taught these sanguinary agitators that success was to be attained, if at all, by no such leap to power as they had imagined.

We pass now to 1862. In that year the World's Exhibition was to take place in London. Meantime in France order had been so long maintained, that the class of operatives and artisans, ceasing to be feared, began to be petted; for kindness to labor soon returns when it is neither dangerous nor at especial pains to make itself disagreeable. Besides, it was then *en regle* in the empire to smile upon this class, — perhaps to evoke again, though only in the distance, and by way of warning, the exorcised phantom of communistic anarchy. In this mood of the government and the public, some one suggested that it would be a fine thing, if a delegation of workingmen from all parts of France, could be enabled to visit the Exhibition, acquaint themselves with the industrial progress of all lands, and bring home a report to their brethren. Admirable suggestion! Plaudits arose on all sides. Highly animated, a public journal, "Le Temps," proposed a general contribution to furnish means. Admirable again! So the means were provided, the imperial government lent aid, the railways offered cheap tickets, and the delegates set off, with all France smiling and congratulating. They went to London; what they saw at the Exhibition, or whether they saw it at all, nobody knows; but they *did* see, and to some purpose, the old knot of communists, very hungry then for action after a twelve years' fast. By these they were fêted, addressed, choicely flattered; the "sentiment of international fraternization" was invoked, the evils of international competition signalized, and many fine things said; and the recipients of these attentions returned to tell their fellows, not what they had seen at the Exhibition, but what they had heard at the Freemason's Tavern.

The inveterates now saw their game. They knew that the proletariat throughout western and central Europe were, in opinion, either communists (as ready to demand the utter extinction of private property), or socialists (as willing to restrict it within the narrowest limits), or if not explicitly socialist, withheld more by fear than by scruple. In such matters opinion is often measured by the sense of power; and projects repudiated by weakness, become wholly acceptable to strength. A brief possession of power changed Robespierre from a conscientious opponent of capital punishment to the head-butcher of all history. Let the proletariat once feel itself irresistibly strong, then, nothing but reluctances of opinion being in the way, the fiercer heads would soon infest the rest, unity of purpose be acquired, and effective action in the sense of the 1850 address be sure to follow. But of organization first; first, the word let loose many years before, "Proletarians of all lands, unite!" must be realized as solid fact. To this end, there should be a concerted movement toward a union of the compactest kind. It must proceed ostensibly, not from Marx & Company, but from "workingmen;" and under the circumstances, it must issue from England. But the hard English head, of all in Europe least accessible to speculative projects, could be penetrated only by skillful insinuations, which should hold much in reserve. Two years were consumed in this difficult preliminary labor; but the labor was not wasted; dull Odger and others were won over; and on the 28th September, 1864, a grand international meeting of workingmen was convoked by "English laborers" at St. Martin's Hall, London. The English were put forward to make the speeches, etc.; the cautious veterans kept back, and pulled the strings. In effect, the latter had everything their own way, and in nothing more than the English dress which the affair was made to wear for the eye of the public. They sent forward their cut-and-dried plans, and got them accepted; named themselves a central committee, with full power to act, and were confirmed; and the provisional scheme then adopted was two years later voted through in full congress.

As to doctrine, however, the policy of caution was ably followed. Their main points were three: first, that "the emancipation of labor" must be effected by the laborers themselves; secondly, that "the subjection of labor to capital is the source of all servitude, political, moral, and material;" thirdly, that the remedy is "solidarity between all laborers in all trades and countries." Nothing could have been better devised for their purpose,

namely, to gain power first, and make opinion when power should have beaten a path for it. So much as the above would "take" everywhere with the class addressed, would not be sufficient to alarm the governments, and would be sufficient to indicate direction for the initiated.

The scheme of organization was this: special Associations to be formed everywhere; several Associations to constitute a Section; several Sections a Federation, with a Federal Council; and all the federations to make up the International Society. Each Section, — or body of the second degree, — should yearly choose two delegates, one to the aforesaid Federal Council, the other to an annual Congress of the whole body; while this Congress would every year choose a Central Committee or Directory, in which, save during the few days of its own sitting, the sovereign power would lodge. Thus the General Association was, in theory, to be ruled by a government issued from an election of two degrees. But as Villetard, whom we here follow, well says, all has in practice gone just the other way. That Central Committee is always the clique of hardened communists in London, and the initiative proceeds invariably from them. Perhaps this also was foreseen, and was an essential part of the grand design.

The first Congress was appointed to assemble the following year at Brussels. As the time approached, however, the leaders saw themselves unprepared for a public exhibition; upon some pretext, therefore, of unfriendliness in the Belgian government, they assigned 1866 and Geneva as the time and place of meeting.

Then and there the event came off. Moderation was still the cue. So the subjects proposed were such as the labor of women and children in manufactories, reduction of the hours of labor, relations between labor and capital, obligation of all to work with the hands, evils of standing armies, etc. An attempted demonstration against Russia and in favor of Poland failed; a proposal to discuss the effect of religious ideas was quietly let fall. *Trade unions*, however, were denounced, as occupied too exclusively with their own affairs, instead of "acting against the capitalist system itself." On the other hand, coöperative societies of workingmen were approved.

The next year at Lausanne. Still no outspoken communism, but a significant advance, nevertheless. Here *coöperative associations* were condemned, as merely adding another element to the existing competition. They tend, it was said, "to create a fourth estate having beneath it a fifth more miserable yet." It

was esteemed unjust that a number of laborers should work together for their own profit, thus using their superior skill and industry to the disadvantage of others, less skillful or less diligent. "The social transformation," said the Congress, "can be effected in a radical and definitive fashion only by means which operate on the whole of society." Coöperative associations are not "societies of resistance;" they merely compete with capital, instead of subverting it; in a word, they confiscate nothing for the benefit of the "whole of society." What, then, are they good for? Beyond this very significant denunciation, the second Congress demanded that "the State be made proprietor of means of transportation and circulation, in order to annihilate the monopoly of great companies which, by subjecting the laboring class to their arbitrary laws, attack at once the dignity of man and individual liberty."

So far, feints and movements for vantage ground. But the year following, at Brussels, where the third Congress met, the assault came in earnest, A resolution, adopted and proposed by the managing committee, declared that all quarries, mines, railways, canals, telegraphic lines, and forests belong of right to "the social collectivity." Upon so much confiscation the Congress, it proved, was unanimously agreed. A resolution followed, proposed and sanctioned by the same committee, declaring further that all arable land is of right "collective property." Here some division arose. A minority requested modestly that the resolution should be put over to the next Congress, that time for consideration might be afforded to such as had insufficiently reflected upon the subject. The majority refused to yield even so much. The resolution was carried by a vote of thirty delegates to four, while fifteen withheld their suffrages.

The Congress of 1869 assembled at Bâle; and here a still further revelation of ultimate purposes was made. The managing committee brought forth a set of resolutions, denouncing private inheritance, in any shape or degree whatsoever, as an "iniquity which menaces all social right;" and they proposed for the sanction of the general body the following: "*Resolved*, that the right of inheritance must be completely and radically abolished, and that this abolition is one of the most indispensable conditions to the emancipation of labor." Thirty-three delegates voted for this resolution and twenty-three against it, while seventeen remained neutral. Here is an apparent increase of dissent, as explicit communism is more and more approached. Unhappily,

what might seem a hopeful token, turns out quite illusory, when more closely regarded. The contest was only between rival schemes of confiscation, the one open and avowed, the other thinly disguised, but too thinly to deceive.

The two parties took the name respectively of "Collectivists" and "Mutualists." The former are communists pure and simple; the extinction of private property is their avowed aim. As to the "Mutualists," whose leader, M. Tolain, claimed afterwards before the French courts that he had in this body "defended the principle of private property," — their plan is a very pretty one indeed. It is this: all interest paid shall be just so much toward discharge of the principal; all house-rent paid, just so much toward the purchase of the house; all payment, in fine, for the *use* of any property whatsoever shall go toward a transfer of title. For example, I hire $1,000 at 7 per cent. interest, and pay the interest at the year's end. Now my debt is not $1,000, but $923. I hire a house worth $5,000, and pay $500 yearly rent. After one payment, I own one tenth of the house; after occupying it and paying rent for ten years, am full owner. So with lands, ships, machinery, or whatever one desires the use of; he buys them by simply paying for a limited period a fair allowance for their use. It may be asked who would lend money, build houses, purchase and let machinery, etc., on these terms? Of course a compulsory law would be required to give the plan effect. And so this is not only a scheme of confiscation, but one which no less than "collectivism" implies a robbery by physical force.

Now, *that* is the extreme *conservatism* of the International! Confiscation, therefore, is its avowed creed, and a creed to which all, without exception, subscribe. There is a difference, however, as to methods. All agree upon the direct confiscation of quarries, mines, forests, railroads, canals, etc. The major number would, still further, confiscate all arable land and all inheritances. For this portion of the programme, the minority substitute a continuous confiscation, to be accomplished by the fine device of causing all consideration for the use of property to extinguish the title of the owner. That the originators of the association hold opinions, and are prepared for measures yet more extreme, is known from their own mouths; that they are sustained by no inconsiderable portion of their constituents, might be shown by citations from the press of the International, and by other evidence. We choose to determine the position of the society from its own official records and official action, and to hold it responsible for no more.

The Congress of 1870, which was to have proposed, in addition to the above, and among other the like ameliorations, the instant repudiation of all public debt, could not sit, the war intervening. But, as Villetard says, "it was opened in March, 1871, at the Hotel de Ville, taking now the name of the Commune of Paris." That the work of the Commune was *its* work is, at this date, past doubt. Past doubt it is, too, that the official leaders were not taken by surprise, and led into unconsidered action. Marx and his immediate associates have long known well, as the manifesto issued in 1850 proves, that their plans were to be consummated only by a social war such as the world has never yet seen, and that the seal of their success must be set in blood, if at all. How else could such schemes of confiscation be effectuated? The purposes of the organization are simply and avowedly predatory; and, taken at the very mildest, they look to depredation on such a scale as only war and carnage can accomplish. The leaders were fools not to recognize this. They are not fools, but only mad; and there is method in their madness.

We have thus passed hastily in review a socialistic agitation, which, dating from Babeuf, is now seventy-seven years old, and of which the International is but the last, most extensive, and most skillfully organized exponent. What has come of all this? What has it *done* for civilization in general and for the laborer in particular?

First, it has given Europe two Napoleons. It was Jacobinism running to Communism which compelled France, in the last years of the preceding century, to choose between endless anarchy, with its horrors too well experienced, and a concentration of power in the ablest hands; and of that came the first empire. It was the same thing, more developed, which, half a century later, put before the nation the same alternative; and of that came the second empire.

Secondly, it has forced up the cost of the necessaries of life throughout Europe. The laborer works for wages, and with his wages buys the product of labor. The more and better work he does for a given sum, the more that sum is worth in the way of purchase; while, on the other hand, the less he gives for his wages the less he gets for them. The International, with the general movement it represents, has made it his policy and his merit to shirk and cheat, giving for his wages the least and poorest equivalent possible. Once it was his motto: "A fair day's work for a fair day's wage." He has been taught to cast this away and

adopt another: "Spoil the enemy." The enemy he despoils seems to be the capitalist, and proves to be himself. He cheats his own mouth. Now, it is out of question that the studied war of labor upon capital has been attended with a large loss of skill and efficiency, and that the purchasing power of wages has been lowered in consequence. The International pretends to abolish poverty, and only aggravates it; pretends to secure the laborer his rights, and only teaches him to put himself in the wrong; pretends to be his grand friend, and makes him his own enemy. So much it has done, and, as an offset to this immense mischief, nothing.

There is a great social problem to be solved; this, namely: "How to bring labor and capital, between which there is now a class-separation, into relations of social sympathy and unity?" For this the International has substituted another: "How enable labor to subdue and confiscate capital." That mode of stating the question has converted what was but a social cleft into passionate antagonism, with, on one side, bitter hatred and injury that recoils upon the doer. If the experience of three quarters of a century can prove anything, it has proved that this line of policy leads to vast evil and to no good.

LEGISLATION IN RELATION TO PHARMACY.

READ AT THE GENERAL MEETING IN BOSTON, MAY 15, 1873. BY PROFESSOR GEORGE F. H. MARKOE.

LADIES AND GENTLEMEN, — Modern Pharmacy has been defined as the art of selecting, preserving, preparing, and combining medicinal substances, and of dispensing them for use.

Those who practice this art are known by the names of pharmacists, pharmaceutists, or apothecaries, — these terms being quite synonymous. The term druggist being properly applied to the merchant who simply deals in drugs, and does not necessarily require any special scientific knowledge to pursue his calling. A fair amount of information in regard to the grades and varieties of the more important articles usual to the drug market, together with a good business education, is all that the druggist, properly so-called, needs, to successfully ply his vocation. A pharmacist is or should be an educated and properly qualified practitioner of the Art of Pharmacy. Since in the pursuit of his avocation he buys and sells drugs, he is a druggist; yet to skillfully perform all the duties required of him by the physician and by the demands of the public, he must be much more than a mere dealer in drugs.

To the pharmacist is intrusted the care of all the potent agents that are used by the physician to alleviate human suffering. It is a matter of the highest importance that every means that knowledge and skill can suggest be used to secure the proper quality and genuineness in his merchandise, to fit it for its ultimate uses, and to guard it from accidental and criminal misapplication. Disease is the common lot of mankind, and every man, woman, and child must, sooner or later, require more or less service from the pharmacist for the preparation of the medicines directed by the physician.

Without a properly qualified pharmacist to skillfully compound his prescriptions, the physician is liable to have his best efforts

baffled at every point. The public, whose health and even life so often depend on the pharmacist's fitness to accurately perform the duties of his profession, should imperatively demand the proper qualifications for the skillful practice of his art. How different are the facts of the case! Nothing can exceed the utter indifference of the public on this subject, which so closely concerns the physical well-being of every individual in the community. While the public has failed to recognize the importance of providing for the thorough training and liberal education of those who practice pharmacy, the leading men in the profession have been keenly alive to its necessity. This is especially true in the large cities of the United States, where the leading pharmacists have united themselves into incorporated bodies, which are known as Colleges of Pharmacy, having schools under their control, where systematic instruction is given in those branches of science, required for the skillful and accurate practice of the art. A brief account of these colleges of pharmacy will serve to give some idea of the useful work they have performed in the past, and the powerful influence they are at present bringing to bear to elevate the standard of pharmacial education in this country.

The Philadelphia College of Pharmacy is the oldest, largest, most wealthy, and hence most influential local pharmaceutical organization in this country. It was instituted in 1821, and incorporated in 1822. At the last session of its school it had a class of about three hundred pupils, ninety-four of whom graduated at the last commencement.

The College of Pharmacy of the City of New York was organized in 1829, chartered in 1831. A class of about one hundred and seventy-five students attended the lectures of its course of instruction during the past session, thirty-three of whom received their degrees at the annual commencement, March 31, 1873.

The Massachusetts College of Pharmacy was instituted in 1823, and incorporated in 1852. During the session of 1872–73, eighty-six students attended the lectures, six of whom had the degree of Graduate in Pharmacy conferred upon them at the Commencement, on the evening of May 7, 1873, in this city.

The Maryland College of Pharmacy, situated in Baltimore, conferred its degree on eight graduates at the close of its last session.

The Chicago College of Pharmacy, in spite of the loss of all

its property by the great fire, reopened its school of Pharmacy with a large class in attendance, and conferred its Diploma on three graduates at the end of the session of 1872–73.

In addition to schools above named, the St. Louis College of Pharmacy had twenty-three pupils, seven graduates. The Cincinnati College of Pharmacy fifty-one pupils, ten graduates. The cities of Louisville, Ky., and Washington, D. C., have each started schools of pharmacy under the charge of able professors, and doubtless will succeed in bringing up the standard of pharmaceutical education in the districts in which they are located.

All the regular colleges of pharmacy unite in requiring the following qualifications for graduation: Every person upon whom a diploma is conferred, must be of good moral character, must have arrived at the age of twenty-one years, have attended two courses of lectures on each of the following subjects: Chemistry, Theory and Practice of Pharmacy, Materia Medica, and Botany. He must also have served during a period of not less than four years with a person or persons qualified to conduct the business of a pharmacist in actual performance of the practical work of the laboratory and the dispensing counter, of which fact he must produce satisfactory proof to the board of examiners. He must also produce an original thesis or dissertation upon some subject of pharmacy, chemistry, materia medica, or some of the branches of science closely connected therewith. The candidate must pass written examinations by each of the professors, and finally, both written and oral examinations, before they are eligible to receive the degree of Graduate in Pharmacy.

A few medical schools give pharmaceutical degrees, but as these schools confer their degrees without requiring any actual experience or service in the practical details of the shop, the diplomas so conferred are not recognized by the regular colleges of pharmacy controlled by pharmacists. No diplomas are recognized by the last named colleges save those that are granted on the basis of four years actual practice in a dispensing or so-called retail drug store, under the preceptorship of a reputable pharmacist. The regularly trained pharmacists of the United States are eager to use every proper means to advance the cause of pharmacial education. This is well proved by the constantly increasing number of local associations, having for their object the spread of scientific knowledge, and the limitation of the practice of pharmacy to those who have been educated for its pursuit.

The American Pharmaceutical Association is a national or-

ganization, holding annual meetings. Its twenty-first annual meeting will be held in the city of Richmond, Va. All the local pharmaceutical associations and colleges of pharmacy on this continent are entitled to send five delegates, the delegates becoming members for that year. It has a membership of about one thousand of the best and most influential pharmacists from all sections of the Union, not a few of whom hold high rank among the scientific men of the country.

The following extracts from the constitution of the American Pharmaceutical Association will serve to show the useful nature of the work it endeavors to perform: —

"Its aim shall be to unite the educated and reputable pharmaceutists and druggists of the United States in the following objects: To improve and regulate the drug market, by preventing the importation of inferior, adulterated, or deteriorated drugs, and by detecting and exposing home adulteration. To encourage proper relations between druggists, pharmaceutists, physicians, and the people at large, which shall promote the public welfare and tend to mutual strength and advantage. To improve the science and the art of pharmacy, by diffusing scientific knowledge among apothecaries and druggists, fostering pharmaceutical literature, developing talent, stimulating discovery and invention, and encouraging home production and manufacture in the several departments of the drug business. To regulate the system of apprenticeship and employment, so as to prevent, as far as practicable, the evils flowing from deficient training in the responsible duties of preparing, dispensing, and selling medicines. To suppress empiricism, and to restrict the dispensing and sale of medicines to regularly educated druggists and apothecaries. To create and maintain a standard of professional honesty equal to the amount of our professional knowledge, with a view to the highest good and the greatest protection of the public."

The sentiments expressed in the above quotations from the Constitution of the "American Pharmaceutical Association," fairly represent the opinions and feelings of the educated pharmacists of the United States. Many of the local associations have incorporated these sentiments into their codes of ethics, as the principles that should guide the members in their intercourse with each other, and to govern their relations with the physician and the public. From the above statements it will be seen that the pharmacists themselves have done and are still doing very much to elevate the practice of their art to its proper place among the

professions; it is their aim to obtain for the American Pharmacist the same standing among scientific men that is accorded to the practitioner of the pharmaceutic art in Continental Europe — where pharmacy has long been fostered and protected by wise and efficient laws. Pharmacy should not and cannot be made an unrestricted trade open to every impostor, and to the dangerous incompetency of ignorant men. Free trade in pharmacy means to subject the lives and well-being of our fellow men to a most detrimental imposition; it means to pass unheeded the accumulated results attained by the centuries of toil and patient scientific research that have given to this age its infinite advantage in all that concerns the sanitary condition of the people.

The pharmacist must be made responsible to the government and the law. Pharmacy is not merely a business pursuit, but an office of *public trust*, and as such its practice should be conducted in accordance with all the requirements for the public good, and with the most advanced and intelligent public opinion. The best interests of humanity call for speedy reform in this most important branch of sanitary science. The urgent necessity for efficient laws regulating the practice of pharmacy and the sale of poisons, and for preventing the misuse and adulteration of drugs, has been a subject upon which the ablest men in our profession have bestowed much careful thought, much earnest labor. To the influence of the American Pharmaceutical Association and the local colleges of pharmacy, may be fairly referred pretty nearly all that has been done in the way of efficient pharmaceutical legislation in this country. In the year 1868, a committee was appointed by the American Pharmaceutical Association to report "a draft of a law" to regulate the practice of pharmacy and the sale of poisons, and to prevent the adulteration of drugs and medicines. The committee to whom the matter was referred, produced a draft for the proposed law at the seventeenth Annual Meeting of the Association, held in Chicago, September 1869. This draft was brought forward and adopted by the Association, not as the most perfect that could be proposed, but as embodying the principles and opinions of the Association.

The proposed law recognized all persons actually in business on their own account at the passage of the act, as entitled to be entered as registered pharmacists. All persons not then in business on their own account were to be subjected to an examination, or become Graduates in Pharmacy, before they could become registered pharmacists. The title "registered pharmacist" was ap-

plied to those actually in business on their own account. The title "Registered Assistant in Pharmacy" could be obtained by all "Graduates in Pharmacy," and examined practicing assistants in pharmacy. All employés in pharmaceutical establishments were regarded as apprentices until after they had graduated at a college of pharmacy, or had passed an examination before the Pharmaceutical Board; such then became practicing assistants. The titles *graduate* and *practicing assistant in pharmacy*, conferred a certain standing in law, hence a certain responsibility. Those who were neither *graduates* nor *examined practicing* assistants, were considered by the law *apprentices*. Graduates and examined assistants could become *registered pharmacists* by opening stores on their own account. The *graduate in pharmacy* could become a registered pharmacist by simply exhibiting his diploma, while a practicing assistant in pharmacy could accept any situation in any State, but could not *take charge* or *become a proprietor* of a store without being examined again. Proprietors of stores were compelled to register annually. The Pharmaceutical Board provided for by the law was to be appointed by the Governor out of nominations made to him by the several pharmaceutical organizations, and the registration was to be under the direction of that Board; it was also made one of its duties to prosecute all persons guilty of violating any of the provisions of this law. The Registrar was to be appointed by the Governor. It was his duty to publish annually an official register of pharmacists which would serve as a valuable list of those authorized by law to prosecute the responsible business of dispensing medicines and poisons. Practicing physicians and wholesale druggists and country store-keepers located three miles from any registered pharmacist, were excepted from the action of the law, but the latter were required to take out licenses as retailers of poisons, and likewise provided means for the conviction and punishment of adulterators of drugs and medicines.

After a very full discussion of the proposed law, in which pretty nearly every prominent member of the Association took part, the following resolutions, offered by Dr. Edward R. Squibb, were adopted by the Association: —

"1. *Resolved*, That the draft of a law to regulate the practice of Pharmacy, proposed by the Committee of the Association appointed for that purpose, be accepted and published in the proceedings of the Association, as being one method whereby the objects of this body in regard to that subject might be attempted,

and that as a method which embraces many useful details, arranged with great care and labor, it is recorded and published as well adapted to be useful to the legislatures of the different States of the Union, whenever they may see fit to respond to the earnest desire and call of this Association and of the community at large for enactments upon this subject.

"2. *Resolved*, That the difficulties of constructing a form of a law proper to be indorsed and recommended by this Association, for general application in all the States, are such that we must be satisfied with enunciating the broad principles which in our judgment should direct all legislation upon this important subject.

"3. *Resolved*, That we see with alarm and regret the rapid increase of accidents which occur from mistakes and mismanagement in dispensing medicinal substances, and that we earnestly desire to see these casualties checked and controlled.

"4. *Resolved*, That we regard the ignorance and irresponsibility of many who engage in the practice of pharmacy without proper qualification as the principal cause of such casualties.

"5. *Resolved*, That a proper degree of education and qualification should be secured by law, and that all proper measures for educating and qualifying persons for duties so important should receive more encouragement and protection from the law than they have hitherto done.

"6. *Resolved*, That the report of the committee, embracing the proposed draft of a law, of the action had in this Association upon the report, and of these resolutions, be printed in pamphlet form, and ten copies be sent to the governors of the different States of the United States."

By this action the pharmacists of the United States, through the medium of their national association, put themselves upon record as strongly in favor of proper legislation regulating the practice of pharmacy.

With the exception of the few places in which "pharmacy laws" are in force, there is no civilized country in which the community are so largely and so dangerously exposed to criminal incompetence, and to the long train of evils that follow in the track of the unrestricted assumption of the duties of the physician and the pharmacist by the numberless quacks and mountebanks who pollute the public prints with their obscene advertisements, luring by fair promises of assistance those whom folly or misfortune has made the subject of disease, and who only too often find themselves the victims of these human vultures, robbed

of their money and left with ruined health to drag out the remnant of their miserable lives, a burden and a disgrace to the community that suffers such things.

The law proposed by the American Pharmaceutical Association was based on the British Pharmacy Act of 1868. That law was the result of the earnest and persistent appeals of the Pharmaceutical Society of Great Britain to Parliament for the passage of a law compelling the registration, and providing for the education of those who engaged in the practice of pharmacy.

The Pharmaceutical Society of Great Britain was established in 1841, "for the purpose of advancing Chemistry and Pharmacy, and promoting a uniform system of education of those who carry on the business of chemists and druggists, and to provide a fund for the relief of the distressed members and associates of the Society and their widows and orphans."

After the incorporation of the Society by Royal Charter in 1843, the by-laws of the Society required all persons seeking admission into the Society, except those in business on their own account before the date of the charter (February 18, 1843), to pass an examination prior to admission, and fixing a date after which even this exemption should not be granted. The qualifications made imperative by the Act of 1852 were then, as they now are by the Pharmacy Act 1868, the passing of an examination in the subjects of chemistry, pharmacy, materia medica, and botany, with the practical manipulations of the dispensing counter and of the laboratory; also the modes of determining the strength and purity of drugs, the tests and antidotes for poisons, the doses of ordinary medicines, and a familiarity with the language of prescriptions.

The preamble of the Act of 1852 contains the following: "Whereas it is expedient to prevent ignorant and incompetent persons from assuming the title of, or pretending to be, pharmaceutical chemists, or pharmaceutists in Great Britain, or members of the said Pharmaceutical Society, to that end it is desirable that all persons, before assuming such title, should be duly examined as to their skill and knowledge by competent persons, and that a register should be kept of such persons."

Parliament in 1852 refused to place any restrictions on the sale of drugs, or the dispensing of prescriptions; but by legally establishing a distinction between qualified and unqualified persons, and giving titles which the public might recognize, it afforded a useful degree of safety in this important matter, and was a nota-

ble advance in this department of sanitary reform. To the Parliament of 1868 belongs the honor of completing the work so hopefully commenced, and to-day Great Britain enjoys the many advantages that flow from a just and wisely administered pharmacy law, and the practice of the art is rapidly advancing to the same high rank that it holds in all the other European States.

Those who practice pharmacy in England are divided into three classes: —

1. Pharmaceutical chemists, or those who have passed the major examination of the Pharmaceutical Society of Great Britain.

2. Chemists and druggists consisting of all those druggists who were in business on their own account before the passage of the Pharmacy Act, or who have passed the minor examination of the Pharmaceutical Society.

3. Apothecaries, or those who hold the diploma given at Apothecaries' Hall, and who are permitted to prescribe as well as to dispense medicines.

This last class and also the surgeons, very many of whom keep open shops or surgeries, are very unpopular with the regular M. D.'s and the pharmacists, the opinion being held by the last named classes that pharmacy and the practice of physic are distinct departments of the science of medicine; that there is range enough in each of these professions to give ample scope to the most ambitious for distinction, and that either of them call for such varied scientific attainments for their skillful practice, that either may well form the sole pursuit of even the most able students.

There is no valid reason for the practitioners of one of these professions to invade the domain of the other. It is the firm conviction in the minds of the most distinguished physicians and the ablest pharmacists throughout the civilized world, that those who claim at once to fill the position of a competent physician and a thoroughly qualified pharmacist, give plain evidence of their presumption rather than proof of the extent of their acquirements.

The action of the American Pharmaceutical Association in sending to the authorities in the different States of the Union copies of a draft of a proposed law for the regulation of the practice of pharmacy, was soon followed by practical and beneficial results. There can be no doubt that the laws enacted in several of the States owe their existence to the influence of that

action on the part of the Association. Not only the principles, but in a great measure the technical execution of the draft of the committee of 1869 were adopted, and hence we owe to the gentlemen composing that committee thanks for the important and excellent labor they performed in advancing the subject of pharmacial legislation. To Prof. John M. Maisch, the accomplished chairman of that committee, is especially due the credit of a vast amount of work in this direction, and it is not too much to say that he has done more to advance this important cause than any other single individual in the United States.

In 1870, the Legislature of Rhode Island passed a Pharmacy Act, based upon the law proposed by the American Pharmaceutical Association, but much more simple in its provisions.

The Maryland Legislature, on the petition of the Maryland College of Pharmacy, seconded by like petitions signed by the physicians and many of the most influential citizens of Baltimore, passed "An Act to prevent incompetent persons from conducting the business of druggist and apothecary in the city of Baltimore."

The Legislature of Pennsylvania passed "An Act to prevent and punish the publication of obscene advertisements and the sale of noxious medicines." The enforcement of this act has proved a powerful check on the success of a dangerous form of quackery.

In 1871, the Province of Ontario, Dominion of Canada, passed the law known as the "Pharmacy Act of 1871." It is much like the "British Pharmacy Act."

In 1871, the Legislature of the State of New York passed the infamous "Irving Drug Law," by which the city and the drug trade of New York were swindled out of many thousand dollars for the sole benefit of a commission appointed and controlled by the Tammany Ring. This law, so obnoxious and unjust, was denounced by the entire pharmaceutical press, and resulted in uniting the several pharmaceutical associations of New York City, under the lead of the College of Pharmacy of the city of New York, in a determined and finally successful effort for its repeal at the next session of the legislature.

In 1871, the Legislature of Virginia passed a law "regulating the sale of poisons."

During the year 1872, efficient pharmacy acts were passed for the city of New York, for Philadelphia, for San Francisco, and the Baltimore law was amended and made more comprehensive

and perfect in its provisions for the greater protection of the public from incompetent apothecaries.

During the past four years, strong efforts have been made to obtain a pharmacy law for Massachusetts, but in every case the legislature refused to pass the act proposed by the Judiciary Committee of the House.

Believing that the subject of the legal restriction of the practice of pharmacy to properly qualified persons is a matter of such great sanitary importance that it may well claim the efforts of this Association in its behalf, I most earnestly appeal to its members to join with the educated pharmacists of this city and State in demanding from the legislature the passage of a law that will, in future, prevent the many abuses that are practiced on the public by those who use an honorable calling as a cloak for disreputable practices.

In order to give some practical shape to the subject under consideration, I append a draft for a pharmacy act which I think would be approved by the qualified pharmacists of Boston. I say of Boston, because I think it will be better to get a pharmacy act for the city of Boston before making any attempt to have a law for the entire State. This would be following the successful example of Philadelphia, New York, Baltimore, and San Francisco, and be more likely to succeed, because in our past experience the main opposition to a pharmacy act has come from the country.

DRAFT OF AN ACT TO REGULATE THE PRACTICE OF PHARMACY AND SALE OF POISONS, AND TO PREVENT ADULTERATION IN DRUGS AND MEDICINAL PREPARATIONS IN THE CITY OF BOSTON.

Whereas, The safety of the public is endangered by want of care in the sale of poisons, whether to be used as such for legitimate purposes, or employed as medicines, and dispensed on the prescriptions of physicians; and whereas the power of physicians to overcome disease depends greatly on their ability to obtain good and unadulterated drugs and skillfully prepared medicines; and whereas the class of persons to which the preparation and sale of drugs, medicines, and poisons properly belong, known as apothecaries, chemists, and druggists, or pharmacists, should possess a practical knowledge of the business and science of pharmacy in all its relations; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Massachusetts*, That the term

or name of pharmacists in the meaning and scope of this act does mean, embrace, and apply to all persons engaged in vending at retail drugs, medicines, and chemicals, for medicinal use, and in compounding and dispensing physicians' prescriptions, either as owners of stores, or as managing assistants in charge of stores.

SECTION 2. *And be it enacted*, That any person who, after the passage of this act, does vent or retail drugs, medicines, or chemicals for medicinal use, or compound and dispense physicians' prescriptions in the city of Boston, without complying with the requirements of this act, unless he shall be employed under the circumstances contemplated in section 9, shall be deemed guilty of misdemeanor, and subject to a penalty or fine of fifty (50) dollars for each and every week he shall continue to vend at retail drugs, medicines, or chemicals for medicinal use, or compound and dispense physicians' prescriptions in the city of Boston without complying with all the requirements of this act, said penalty or fine to be sued for in the name of the Commissioners of Pharmacy and Practical Chemistry appointed under this act, and before any court of competent jurisdiction in said city. Said penalty to be paid to the treasurer of the Massachusetts College of Pharmacy for the use of the library of said College.

SECTION 3. That the Massachusetts College of Pharmacy shall nominate biennially, of the most skilled and competent pharmacists in the city of Boston, ten persons, from amongst whom the governor shall appoint three commissioners, whose duty it shall be to faithfully and impartially execute or cause to be executed all the provisions and requirements of this Act. They shall, upon application, and in such manner and such place that they may determine, examine each and every person who shall desire to engage in vending at retail drugs, medicines, or chemicals for medicinal use, or of compounding and dispensing physicians' prescriptions in the city of Boston touching his competency and qualifications; and upon being satisfied that the person so examined is competent and qualified to vend at retail drugs, medicines, and chemicals for medicinal use, and compound and dispense physicians' prescriptions safely and without jeopardy to the health and lives of the people of the city of Boston, they or any two of them shall grant such person a certificate of competency and register him as a pharmacist.

SECTION 4. That the commissioners appointed under this act shall be styled and known as the Commissioners of Pharmacy and Practical Chemistry, and shall hold office for three years

and thereafter, until their successors have been appointed and have been qualified; said commissioners shall, within thirty days after notification of their appointment, each subscribe to an oath before the clerk of the Superior Court of the county of Suffolk, to impartially and faithfully discharge the duties prescribed by this act. The position of any commissioner appointed under this act who shall fail to so qualify within the time and in manner named, shall be vacant. The governor shall fill all vacancies occurring from amongst the persons nominated by the Massachusetts College of Pharmacy under section 3 of this act.

SECTION 5. *And be it enacted*, That each and every person, before commencing to vend at retail drugs, medicines, or chemicals for medicinal use, or to compound and dispense physicians' prescriptions in the city of Boston as managing owner of a store, or as managing assistant of a store, shall register as a pharmacist under the provisions of this act.

SECTION 6. *And be it enacted*, That every person who shall at the time that this act goes into effect be engaged in vending at retail, drugs, medicines, and chemicals for medicinal use, and compounding and dispensing physicians' prescriptions in the city of Boston, shall be entitled to registration under this act, if application be made therefor to the Commissioners of Pharmacy and Practical Chemistry within sixty days after the passage of this act, and after the payment of the registration fee.

SECTION 7. *And be it enacted*, That said Commissioners of Pharmacy and Practical Chemistry shall demand and receive from each applicant for certificate of competency whom they examine, five dollars for each examination; and shall likewise be entitled to demand and receive one dollar from every person whom they register or re-register; the money received under the provisions of this section shall be used and applied by said commissioners to defray the expenses accruing or arising under this act.

SECTION 8. *And be it enacted*, That every person holding a diploma from a regular chartered and recognized college or school of pharmacy, based upon a full apprenticeship of four years as a pharmacist, and who presents satisfactory evidence of these facts to the said Commissioners of Pharmacy and Practical Pharmacy, shall be deemed competent, and entitled to register as a pharmacist.

SECTION 9. *And be enacted*, That in case of the death of a registered pharmacist doing business in the city of Boston, the

business of the said pharmacist may be continued by his heirs, executors, or administrators, for the benefit of said heirs for a period of six months, after which time, if the business be conducted by said heirs, executors, or administrators, they must employ a registered pharmacist to conduct it.

SECTION 10. Nothing contained in this shall apply to, or in any manner whatever interfere with the business of any practitioner of medicine who does not keep open shop for the retailing, dispensing, or compounding of medicines and poisons, nor prevent him from administering or supplying to his patients such articles as may seem to him fit and proper; nor shall it interfere with the making and dealing in proprietary remedies (popularly called patent medicines); nor shall it interfere with the business of wholesale dealers.

SECTION 11. *And be it enacted*, That this act shall take effect from the date of its passage.

The above draft of a Pharmacy Act for the city of Boston is based upon the Baltimore Pharmacy Act at present in successful operation in that city. I feel quite confident that the provisions of this proposed law would meet with the hearty approval of all the intelligent pharmacists of Boston, and would result in giving far greater security to the people of Boston in regard to the important subject which has been discussed in this paper.

BOSTON, *May*, 1873.

GENERAL INTELLIGENCE.

UNDER this head there has been printed in the previous Journals, information relative to the various subjects coming under the head of Social Science, and a catalogue of its current literature. Since the publication of the last number, the Association has had no secretary to collect this information, and we are therefore able to give but very little.

JOHN STUART MILL. — By the death of this eminent man, which took place at Avignon, on the 8th of May last, this Association has met a great loss. In 1865, he was elected a corresponding member, and he accepted the office, by a cordial letter dated March 5, 1866. Everything in this country interested him, for he saw that the great moral and political truths, to the investigation of which he had devoted himself, were here to be subjected to the freest experiment. He congratulated us upon the attempt to form an association for the more careful consideration of these truths, and he offered to assist us in any way in his power. Such an opportunity was not to be lost and he was freely consulted.

We are indebted to him for a careful list of the literature of Political and Social Science. He gave advice as to a higher education in Jurisprudence, a subject which came before the Association in 1870. It was owing to his kind services that two of our officers had long personal interviews in London with Sir Henry Sumner Maine, in relation to this matter. We were about to request Mr. Mill to prepare a paper on the importance of the science of Jurisprudence for our next general meeting when we heard of his death.

His letters urged the necessity of higher education in this as in everything else, as will be seen by the extracts which are given below.

In 1868, the late secretary of the Association, Mr. Villard, with the consent of the executive committee, invited Mr. Mill to visit the United States, as our guest. This he was unable to do. His various letters in answer to the invitation exhibit that conscientious and severe care of his time and opportunities by which his whole life was characterized. In one dated January 19, 1869, he writes: —

"Few things could be more flattering to me than the high honor of such an invitation from such a body; and your letter also contains proposals of a pecu-

niary nature on such a scale of liberality as to convert a visit to the United States from an expensive pleasure into a source of great personal profit.

"The shortness however of life, and the numerous unexecuted literary projects which the public duties in which the greater part of my life has been occupied have left on my hands, and which require all the leisure of my remaining years for their fulfillment, admonish me of the necessity of dividing such time as I am able to dispose of between these undertakings and a rest much more complete than would be afforded by a journey such as that to which I am so flatteringly invited.

"These are considerations which compel me to decline an invitation so honorable, and which, if I had more leisure and a greater number of years in prospect, would have been so welcome to me."

It gives us pleasure to state that we could in some degree reciprocate his services.

Several of Mr. Mills' friends visited America, bringing letters of introduction to officers of the Association. Through the kindness of our members in various parts of the country we were able to assist their observations and studies in many ways.

In 1869 we caused to be prepared, at his special request, for his friend, Mr. David Watson, a very careful report on the practical working of vote by ballot in this country, to be used before a committee of parliament.

In 1869 a committee of the department of education was appointed for the purpose of considering the question of art in education. It was agreed that much could be done in this direction by a proper adornment of the public schools with carefully selected photographs and casts.

An extensive correspondence was carried on with persons in Europe on this subject. Mr. Mill took much interest in it, and his letters did not a little to determine us to attempt the experiment which was made in the Boston High School for Girls.

In his letter of October 28, 1869, he argues so forcibly about it, and gives so interesting an incident in his own life that we print it below:—

"The multiplication of casts of the finest works of ancient sculpture is very useful as one among many means of educating the public eye. Both in art and in nature, a certain degree of familiarity is necessary, not merely to the intellectual appreciation, but to the enjoyment of the higher kinds of beauty. Every one who takes pleasure in a simple tune has the capacity of fully enjoying Weber and Beethoven, but very often he derives little or no pleasure from a first hearing of them. It is a great mistake to think that children are not benefited by living and growing up among models of beauty. They are, on the contrary, more benefited than any one else, though not, at the time, conscious of the benefit. I can trace a great influence in my own development to the accident of having passed several years of my boyhood in one of the few old abbeys which are still inhabited, instead of a mean and graceless modern house, and having at the same time and place been familiar with the tapes-

tries from Raphael's cartoons, which peopled my imagination with graceful and dignified forms of human beings.

"There is a great want of this training of the perceptions and taste in our modern societies, but it is not by any one help or stimulus that the want can be supplied. The great desideratum in America, and, though not quite in an equal degree, I may say in England too, is the improvement of the higher education. America surpasses all countries in the amount of mental cultivation which she has been able to make universal; but a high average level is not everything. There are wanted, I do not say a class, but a great number of persons of the highest degree of cultivation which the accumulated acquisitions of the human race make it possible to give them.

"From such persons, in a community which knows no distinction of ranks, civilization would rain down its influences upon the remainder of society, and the higher faculties having been highly cultivated in the most advanced part of the public, would give forth products and create an atmosphere that would produce a high average of the same faculties in a people so well prepared in point of general intelligence as the people of the United States."

The old abbey to which he refers was, we suppose, Ford Abbey, where he and his father spent much time from 1814 to 1817, with Mr. Bentham, the younger Mill being then from eight to eleven years old. A very interesting description of this abbey is to be found in chapter eighteenth, volume tenth, of Bentham's works.

In a letter dated Avignon, January 26, 1870, he writes as follows:—

"The American Social Science Association will do immense service if it makes itself an organ for stimulating the desire and obtaining the means of the highest possible education. Stimulating the desire is all that is needed for obtaining the means, for there are never wanting, in your country, generous men who give large sums to enrich their country with permanent institutions which they think useful to it. When opinion shall have been duly prepared, persons will probably be found who will be disposed to endow Professorships of Jurisprudence and Roman Law at Harvard College and the other Universities.

"What you say about the new start which the mind of America has been led to make by her long and arduous struggle, is exactly what I foresaw from almost the very beginning. I wrote in January, 1862, and often said in the years following, that, if the war lasted long enough, it would very likely regenerate the American people, and I have been seeing more and more clearly since it closed, that to a considerable extent it has really done so, and in particular, that reason and right feeling on any public subject has a better chance of being favorably listened to, and of finding the national mind open to comprehend it, than at any previous time in American history. This great benefit will probably last out the generation which fought in the war; and all depends on making the utmost use of it, for good purposes, before the national mind has time to get crusted over with any fresh set of prejudices as nations so quickly do."

John Stuart Mill may be looked upon as one of the fathers of Social Science among the English speaking nations. Every future thorough

student of the science must be familiar with his works. It will be well for us, if we can continue their severe intellectual method, but still better if we can perpetuate the noble moral tone which pervades them.

J. M. B.

REPORT OF THE CIVIL SERVICE COMMISSION. *To the President:*—The circumstances under which the members of the Civil Service Commission were called upon to hold their session, now just brought to a close, attracted their early inquiry into the practical administration of the rules and regulations thus far, as well as into the immediate prospects and probable utility of civil service reform, as now inaugurated.

Were it not for the facts that some of the members have recently come to their places, and that it is the purpose of the Commission to hold an early session, at which it is intended to bring the existing rules and regulations, perhaps somewhat modified in details, into a regular series, we should consider it useful to present, more fully than we now propose to do, the results of our inquiries and reflections upon those subjects.

We now submit a brief report, and therewith several new rules suitable, in our opinion, to be prescribed by the President at this time.

But before presenting some of the reasons which justify these new rules, we wish plainly to declare our conviction that those having the duty of enforcing the civil service rules and regulations have brought to the discharge of that duty perfect fidelity to the essential principles of civil service reform, as well as that degree of vigor which only needs the support of an appreciative public opinion to secure the complete enforcement and vindication of that reform. A change so considerable as it proposes in some of our political methods can hardly succeed if not very gradually introduced. Even if at once correctly appreciated by public opinion, the difficulties of its early stages would not be small; but they are greatly increased when so many misconceive both the aims and the practical operations of the reform itself.

The new rules we submit more clearly define some of these aims, and we are able, as the result of our investigation, to speak, upon the warrant of the highest authority, as to some of the results of the practical operation of the rules in the great departments at Washington, where the clearest tests have been obtained. It appears to be the unanimous opinion of those at the heads of these departments that there has been a decided mitigation, under the operation of such rules, of the serious evils that before prevailed and steadily increased. Mere personal importunity and partisan intrigue have diminished in the same ratio that individual merit and just rules for testing such merit have been made the basis of appointments and promotions. The application of these tests has been gradually extended as experience has seemed to warrant, and in every case with good results.

In the Department of State, for example, a rigorous system for the

examination of applicants for the position of consuls has been put in operation under the Executive Order of March 14, 1873, and there is every reason to believe that incompetent persons will, in a great measure, cease to urge themselves upon that branch of the public service, and that those who pass the examinations will be competent to serve their country in a satisfactory manner.

In the Patent Office, the results of examination and competition have been more skilled ability in places where it was much needed, and more capacity in the same number of officials for a prompt and satisfactory discharge of their duties. Similar illustrations might be drawn from the other departments, if it was our intention to present a full report at this time. And one consequence of a fair and full examination into the qualifications of applicants, by boards competent for such duty, has been that the heads of departments have had more time to attend to the public business, and have only been called upon to make a final selection from among a small number, each one of whom had been shown to be among the better qualified of the many that pressed for appointments.

On the other hand, defects have been discovered in the new methods; and some inconvenience — resulting, however, only in pecuniary gain to the Government — has been experienced in filling certain places in the service in strict conformity to the rules. But none of these impediments in the way of success are of a nature which appears difficult to remove, and we believe the modifications we now propose will remove most of them.

The most serious obstacles we find to overcome in the discharge of the duties to which the President has called us, appear to originate in a misconception, on the part of many honest people, of the theory and object of civil service reform, and in the prejudice and interested opposition it may be made to encounter through the selfish exertions of those who arraign the motives of the Executive, and attack the reform itself, in the interest of mere personal ambition or party aggrandizement.

We are far from intending to suggest that opposition is confined to those governed by interested or unpatriotic motives; for we by no means believe such to be the fact.

But while no man's opinion upon the merits of the attempt to improve our civil service should be regarded as any just test of his honesty or of his regard for the public welfare, it is yet plain that political opposition and personal interests may attempt to promote their common ends by the easy method of attacking the sincerity and predicting the failure of the attempt itself. We are convinced that the success of civil service reform is to be decided by the intelligent fidelity with which its friends shall present its true methods to the popular judgment. When presented within their true sphere, as a method and an agency through which the appointing power, without invading the proper functions and influence of parties under republican institutions, shall be most effectually aided in

selecting for official places and in promoting those whose characters, abilities, and attainments best qualify them to serve the people, we are convinced that fair public examinations to test such qualifications will receive the permanent support of the people, as against any method of mere personal solicitation or partisan influence for securing office. From all such tests, of course, there should be excepted, as the rules now provide, the President, the heads of departments, and all those high officers who really represent that policy of a party and those principles of a campaign which the people have approved; but by no means should there be excepted those officers and clerks whose tasks should be performed in the same non-partisan, clerical, and faithful manner, whatever principles may guide and whatever party-leaders may control the Administration.

It has been our aim to recognize the right which requires that a victorious party should be able to name the officers so far down the official scale as their principles may justly be involved in fair and honest administration, at the same time that we have resisted that pernicious theory which insists that every clerk in a public office, no matter how subordinate or how useful, shall mingle as a partisan in every contest, and go out as a matter of course with a retiring head of department. But the new rules we submit will show that we do not regard the question of the proper duration of the tenure of office or of clerkships, as one with which civil service reform, as now inaugurated, has any other than an indirect connection.

1. The first rule appended aims at securing to the appointing power some better evidence of the real qualifications of those, often wholly unworthy, who are importunately, and doubtless sometimes reluctantly, pressed for appointments or nominations. It is due to the people that those having the duty of nominations should insist on the best evidence of fitness; and it will certainly promote the public interests, if those reluctantly compelled to urge candidates upon the appointing power shall find some relief in a method which, at the same time, asserts the true theory of the Constitution.

2. The second rule, in substance, declares that the rules and regulations for improving the civil service are intended neither to restrict the right of removal nor to extend the tenure of office; but leave the executive responsibility, the rights of Congress, and the interests of the people, in that regard, without qualification. If the fact of more competent persons being found in office shall create a desire to retain them longer, it may be presumed no public interest will be thereby injured.

3. The third rule is intended both to mark out the path of duty before any abuse shall arise, and to remove a false and mischievous impression known to exist in the public mind, by declaring that the members of the Civil Service Commission, and of the Boards of Examiners, have nothing to do with procuring nominations, with aiding promotions, or with adjusting political disputes; but are substantially limited to the functions

of framing proper rules and regulations and of supervising and conducting examinations directed to be held under them. And we desire to bear testimony to the ability and integrity with which the examiners have discharged their respective duties.

4. The fourth rule relates to a class of females who seek employment below the grade of the lowest class of regular clerks, and from among whom patriotism and public justice seem to require that selections shall be made, after examinations have shown the applicants to be qualified, not wholly in reference to attainments and capacity, as shown by competition between themselves, but largely in reference to their just claims upon public regard, which have arisen by reason of those on whom they were dependent having suffered or died in the public service of the nation.

5. The fifth rule seems to call for no comment.

6. The sixth rule provides a relief against the delays made unavoidable by reason of the examinations before provided for being only for vacancies which had already occurred. This rule provides for examinations in anticipation of vacancies, and will furnish those qualified persons from whom such vacancies can at all times be readily filled.

7. The seventh rule relates to the important subject of examinations in places beyond Washington. While the theory that all the offices of the government should be bestowed in geographical or arithmetical succession among the people of every portion of the Union would lead to very undesirable results, if allowed to override the considerations of moral and intellectual fitness, it is yet true that the honor of serving the nation belongs equally to all of its people, irrespective of residence. The method of party and personal promotions to offices gave an undue proportion of them to importunate men, who lingered about Washington and made politics a trade; and so long as all examinations for places in the great departments, and in the consular service, shall be confined to Washington, it will not be easy to wholly remove this abuse of the old system.

The new rule we propose on this subject will, we think, in a large measure furnish a remedy. Inadequacy of funds will, for the present, prevent examinations at so many places as the reasonable convenience of applicants require, but relief from this inconvenience rests with Congress. As each of the five districts into which the Union is divided is to be taken as a sphere of competition for the purpose of making selections for new appointments, every head of department may have the variety of qualifications afforded by fifteen eligible persons from whom such appointment may be made with due regard to the strictest competition. Each of these five districts can by our rule have at least two competitive examinations within its own borders during each year.

Should Congress see fit to moderately increase its appropriation for the civil service, examinations could be made at more places in each dis-

trict; and there can, we think, be little doubt that, in a short time, it would be the case here, as it now is in England, that such examinations would be sought by worthy young men, for the honor and the business advantages of a public recognition of the merit they would demonstrate. In that way, a public sentiment would be developed which would sternly associate every branch of the public service with a demand and recognition of that high personal worth from which it has been, in the public estimation, so unfortunately separated. It is true the Government should not conduct such examinations for mere private ends, but they can be easily limited to the public needs, if found too much resorted to. Each such examination is to be just as effective for every purpose as an examination now is, or hereafter will be, if conducted at Washington.

In providing for examinations outside of Washington, it should be observed that competitions are to be between those who are residents in the same district, without regard to where they may be actually examined, and that the examination may be allowed in any district to suit the convenience of persons desiring the examination. With the order of making appointments from residents within the several districts who have, through the test of competition, shown themselves to possess the highest merit, the Civil Service Rules in no way interfere, but leave the discretion of the appointing power in that regard unrestricted.

The great difference in the density of population manifestly rendered it impossible to even approximate the districts in point of size. Nor was it possible, even with great inconvenience of geographical arrangement, to bring the same population within each district. It was as undesirable as it is impracticable to subdivide States. Disregarding the fractions of a thousand in the several States and Territories, the whole population may be stated, in round numbers, as shown by the last census, as 38,500,000; and this would give 7,700,000 to each district. The first district has 7,870,000; the second, 8,204,000; the third, 7,906,000; the fourth, 7,295,000; the fifth, 7,284,000.

If the second district, being that in which Washington is situated, is placed at some disadvantage by being given the largest population, it should be remembered that the great departments are in that district, and they give employment to numerous persons below the grade of those officers and regular clerks to which the Civil Service Rules apply.

It was impossible under the existing appropriations to designate any place of district examinations within California or Oregon, even if such designation at this time would not, for other reasons, be premature. It is a considerable compensation that the residents of those States will hardly have any contestants for places in the custom-houses and other federal offices within their borders; and residents there can be examined in any other district. By reason of the great size of the fifth district, and of the dense population of the first district, and of the fact that there was

no one large central city in either of these districts, but were two cities in each where there might be local examining boards in existence, it was thought most convenient to have the examinations held alternately in New York and Boston for the first district, and alternately in Savannah and Memphis for the fifth district. Much the same reasons demanded two places of examination in the third district; and Cincinnati and Detroit seem to be the two most convenient places for that purpose.

It appeared, however, to be more convenient to limit the examinations to St. Louis for the fourth district until they can be extended to the Pacific States.

Under the new rules we have proposed, it will be in the power of the head of any custom-house, post-office, or of any other public office in either said district, to send any applicant for admission to a place in the civil service under him to be examined at either of these district examinations. But we have not intended, at present at least, to supersede local examining boards at such local offices, and they may perhaps be permanently necessary for examinations for local promotions. It is, however, contemplated that one member of the district boards, and possibly two, will be selected from the local board of examiners. It is intended that it shall be the duty of the chief examiner to properly supervise and to bring into uniformity the proceedings of the local examining boards.

The system of district examinations and competitions has been initiated in response to what the Commissioners have reason to regard as a general public demand, and while feeling that its merits can only be determined by actual experiment, it is yet established with entire confidence in its justice and general adaptation to the public convenience.

The Commission wish to record the opinion that the examiners generally might, with public advantage, give somewhat more weight to the evidence of practical capacity for business; and at a future session, if they find it necessary, they propose to prepare a rule, adapted to the estimate of such capacity in a just and uniform manner, without at the same time opening the door to mere political influence or personal favoritism.

We ought to bear testimony to the attention and cooperation with which the Executive and the members of the Cabinet have aided our labors; and the more we have been brought into familiarity with the practical bearings of the great principles of individual justice and national safety which must be the basis and the sanction of all true methods of improving the civil service, and the ampler our opportunities have been of measuring the allegiance which such principles command from those whom the people have placed at the head of their great affairs, the more profound is our impression of the inestimable value of the reform itself, and of the solemn obligation of all its friends to leave no means untried, during this best opportunity our generation has seen or may see, to place that reform upon a sure foundation, and to transmit it in

healthy vigor as the greatest political blessing this generation can confer upon the generations to come.

DORMAN B. EATON,
SAMUEL SHELLABARGER,
DAWSON A. WALKER,
E. B. ERLIOTT,
JOSEPH H. BLACKFAN,
DAVID C. COX.

WASHINGTON, D. C., *June 4th*, 1873.

NOTE.—The signature of Alexander G. Cattell, one of the members of the Civil Service Commission does not appear, in consequence of his absence in Europe.

FURTHER RULES PRESCRIBED BY THE PRESIDENT FOR THE GOVERNMENT OF THE CIVIL SERVICE OF THE UNITED STATES AT THE SESSION OF THE CIVIL SERVICE COMMISSION AT WASHINGTON, WHICH TERMINATED JUNE 4, 1873.

RULE 1. It being essential to the public welfare to maintain in the Executive the exercise of the power of nomination and appointment vested by the Constitution, and thereby to secure that measure of independence and separate responsibility which is contemplated by that instrument, and it being needful, in making such nominations and appointments, that the appointing power should obtain and in the proper department preserve the evidence of fitness in reference to which all such nominations and appointments should be made; therefore, recommendations concerning any nomination or appointment to office or place in the civil service cannot be considered unless made in writing, signed by the persons making them, setting forth the character of the person recommended and his qualifications for the office, in reference to which the recommendation is made; nor, when the recommendation is by a person holding an office or station in or under the Government of the United States, can such written recommendation, except when made in response to a written request by the officer making the appointment, or in the discharge of an official duty imposed by the Constitution or the laws, be considered as entitled to any greater weight than if made by such a person as a private individual. But this rule shall not apply to recommendations made by officers as to their own subordinates.

RULE 2. While it is not the purpose of the rules and regulations prescribed for the government of the civil service either to restrict the power of removal or to extend the tenure of service, such power will not be exercised arbitrarily, and therefore applications must not be entertained by any authority having the duty of nomination or appointment for the removal of any person in the civil service, nor will any person be removed, for the mere purpose of making a place for any other person.

RULE 3. To prevent any misapprehension in the public mind in regard to the functions of the members of the Civil Service Commission and

of the members of any board of examiners, it is declared not to be any part of the duty or authority of any such member to act upon, take part in, or in any way entertain any recommendation, application, or question concerning appointments or removals in respect of the civil service, otherwise than in the strict discharge of their respective duties as prescribed by the rules and regulations; and for the same purpose, it is further declared that the functions of the members of said Commission as to the matters aforesaid extend only to the question of the proper rules and regulations to be made and to supervising their application, and that the functions of the examiners, as to said matters, extend only to preparing for, conducting, rating, and making reports concerning examinations required to be made under such rules and regulations.

RULE 4. The grouping heretofore made for the Executive Departments at Washington is hereby modified by striking out the words "female clerks, copyists, and counters, at nine hundred dollars a year," these places being below the grade of clerkships of class one; and all applicants for such positions shall be examined in (1) penmanship, (2) copying, (3) elements of English grammar, chiefly orthography, and (4) fundamental rules of arithmetic, except that mere counters may be examined only in the fundamental rules of arithmetic and as to their facility in counting money; and those found competent by such examination shall be reported in the order of their excellence as eligible for appointment; and selections may be made by the appointing power, at discretion, from the list of those so reported, being at liberty to give preference to such as may be justly regarded as having the highest claims to public consideration, by reason of loss of support or of property occasioned by the death or disability of any person in the defense of the Union in war, or in any other public service of the Government. And in the notices of the examination of females to fill vacancies among those last mentioned, it shall be stated as follows: "That from among all those who shall pass a satisfactory examination, the head of the department will be at liberty to select such persons for the vacancies as may be justly regarded as having the highest claims to public consideration."

RULE 5. The notices to appear at any examinations, other than those referred to in the fourth rule of this series, so far as practicable and necessary to prevent misapprehension, shall advise female applicants, to whom they may be sent, of any limitation which the law or the necessities of the public service impose upon such applicants entering the vacancies for which the examinations are to take place.

RULE 6. That it shall be the duty of the respective boards of examiners, on the written request of heads of departments, to hold examinations in anticipation of vacancies, as well as to fill vacancies, and to prepare lists showing the results of competition, so that when any such vacancy may happen there shall be those thus shown to be eligible to nomination or appointment, from whom the proper selection shall be made

according to the provisions of the rules and regulations relating to competitive examination. And examinations upon like request shall be held in reference to vacancies to be filled under the fourth Rule of this series.

RULE 7. Applicants for appointment as cashiers of collectors of customs, cashiers of assistant treasurers, cashiers of postmasters, superintendents of money-order divisions in post-offices, and other custodians of large sums of public money, for whose fidelity another officer has given official bonds, may be appointed at discretion: but this Rule shall not apply to any appointment to a position grouped below the grade of assistant teller.

RULE 8. In cases of defalcation or embezzlement of public money, or other emergency calling for immediate action, where the public service would be materially injured unless the vacancy is promptly filled without resorting to the methods of selection and appointment prescribed by the rules and regulations, or when a vacancy happens at a place remote and difficult of access and the methods prescribed for filling it cannot be applied without causing delay injurious to the public service, the appointment may be made at discretion; but this Rule shall not apply to any place which is provided to be filled under the rules of competitive examination.

RULE 9. For the purpose of bringing the examinations for the civil service as near to the residences of those desiring to be examined as the appropriation at the command of the President will warrant, and for the further purpose of facilitating, as far as practicable, the making of selections for such service equably from the several portions of the Union, while at the same time preserving the principle of promoting merit as tested by fair competition, it is provided as follows: —

1. That the several States and Territories are grouped into five divisions, to be designated as Civil Service Districts; the said districts to be numbered consecutively from one to five, as follows: —

I. The First District embraces the States of Maine, New Hampshire, Massachusetts, Vermont, Connecticut, Rhode Island, and New York; and the examinations therein shall be held alternately at the city of New York and the city of Boston, but first at the city of New York.

II. The Second District embraces the States of New Jersey, Pennsylvania, Delaware, Maryland, North Carolina, Virginia, West Virginia, and the District of Columbia; and the examinations therein shall be held at Washington.

III. The Third District embraces the States of Ohio, Michigan, Indiana, Wisconsin, and Kentucky; and the examinations therein shall be held alternately at Cincinnati and Detroit, but first at Cincinnati.

IV. The fourth District embraces the States of Illinois, Missouri, Minnesota, Iowa, Kansas, Nebraska, Nevada, California, and Oregon, and also all the Territories, except New Mexico and the District of Columbia; and the examinations therein shall be held at St. Louis.

V. The Fifth District embraces the States of South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, Texas, and Tennessee, together with the Territory of New Mexico; and the examinations therein shall be held alternately at the city of Savannah and the city of Memphis, but first at the city of Savannah.

2. That in each of said districts examinations for admission to the civil service, at Washington, shall be conducted as hereinafter provided; and those whose residence is within any such district at the time of filing the application for examination shall be regarded as belonging to such district in reference both to competition and to appointments; and each district shall be treated as a sphere of competition, and those so residing therein, wherever examined, shall be regarded as competing only with each other; but a person residing in any district may be allowed or notified to be examined in any other district.

3. All applications for examination for service at Washington must be addressed to the head of the department at that city which the applicant desires to enter, and be in conformity to the previous rules and regulations, so far as the same are not modified by this series; and every such application must be dated, must give the town or municipality, as well as the State or Territory, where the applicant has his legal residence, and also his post-office address.

4. Each of the heads of department will cause to be kept in permanent form a register of all such applicants for his department, to be called a "register of applicants," and will cause such applications to be preserved on file for convenient reference.

5. The provisions of the former rules and regulations in reference to the examining boards in the departments and in the other local offices in the various cities, so far as consistent herewith, are continued until otherwise ordered.

6. The President will employ or designate a suitable person to be chief examiner, whose duty it will be, subject to the supervision of the Civil Service Commission, to promote uniformity in preparing for, conducting, reporting, and grading the examinations by said boards, at Washington, and to prepare for, attend, supervise, and report the examinations herein provided to be held elsewhere than at Washington.

7. The several heads of departments must also cause to be made in permanent form, and to be preserved, a "record of persons eligible for appointment," arranging under separate headings those resident in each separate district, wherein shall be entered the names of the persons who have been examined within twelve months now last past, and who are still eligible to nomination or appointment; and to such record must, from time to time, be added the names of those persons who shall hereafter pass an examination which shall show them to be so eligible for nomination or appointment. And such "record of persons eligible for

appointment" shall be so kept, and the names therein be so classified, that all those whose residences appearing as aforesaid to be in the same districts shall be tabulated together, so as to show their relative excellence in each said district; except that the names of all those examined under the fourth rule of this series shall be separately entered upon the "record of persons eligible for appointment" for each department, so as to show where they reside.

8. That the officer having the power of making nomination or appointment may resort, for that purpose, to those so entered in the "record of persons eligible for appointment" as residing in either of said civil service districts; but (except in respect of those examined under said rule 4), the method of competition heretofore provided must be regarded as applying among those so registered as residing in any such district, and as requiring the nomination and appointment to be made from some one of the three persons graded as the highest on some one of said five several arrangements of persons so eligible.

9. At a reasonable time before any examination is to take place, each head of department will furnish the chief examiner with a list of those to be examined, and ten days before any examination is to take place in any said district, elsewhere than at Washington, notice shall be sent by mail by such chief examiner to all such applicants residing or allowed to be examined in such district, stating the time and place of such examination, and the other matters of which the rules and regulations require notice to be given.

10. For the purpose of the examinations last mentioned, the said chief examiner shall receive from the several heads of departments at Washington, and from the head of any local office which may request to have any examinations made of persons for said offices, the names of those who are to be examined at any place outside of Washington, and shall make a list of the same, showing the date of the filing of each application which he shall produce at the place of examination, and the examination shall be held of all those on such list who shall duly appear and submit thereto, provided the number be not so great, in the opinion of the examining board, as to render the examination of the whole impracticable, in which event only a reasonable number, to be selected in the order of the date of the filing of their applications, need be examined.

11. For each place outside of Washington where such examination is to be held, the President will designate persons, to be, when practicable, suitable officers of the United States, who, together with such chief examiner, or some substituted, departmental examiner from Washington, to be sent in his place when such chief examiner cannot attend, shall constitute the board for such examination, and by said persons, or a majority thereof, of whom such chief examiner or said substitute shall be one, such examination shall be held, and certified in a uniform manner; and

the time occupied by each person examined shall be noted on the examination papers. The questions to be put to those examined as applicants through the request of either head of department, or head of local office, shall be such as may be provided, and as might be put, if all such examinations were, or were to be, conducted under the rules and regulations, by the examining boards of any such department in Washington, or by any such local board.

12. The chief examiner or his substitute, shall make reports to each department and local office separately, in respect of all such persons as either said head of department or of a local office requested to be examined, and said reports, respectively, shall be accompanied by the examination papers of those so separately reported, and the board of examiners in each department or local office, shall make up and state the excellence of each person so reported as examined, and such excellence being not below the minimum grade of seventy per centum shall be duly entered in the record of persons eligible for appointment in the proper district or local office.

13. The district examinations herein provided for shall be held not more than twice in any one year, in the same district, except in Washington, where an examination may be held, in respect of each department, as frequently as the head of such department, subject to the approval of the President, may direct, and all persons so examined in Washington, wherever they may reside, shall be entered on the record of persons eligible for appointment, equally as if examined elsewhere.

14. Whenever the entry of the name of any person has been on the record of persons eligible for appointment during eighteen consecutive months, such entry shall be marked "time expired," and such name shall not again be placed thereon, except as the result of another examination.

15. Persons who may be required to be examined for any custom-house, post-office, or other local office or place of service other than Washington, may be notified by the head of such office to appear and be examined at any examination provided for under this rule; and the result of such examination shall be reported by the chief examiner, or his substitute, to the proper examining board for such office or place, or to the head of the local office, and such board shall enter the name, with the proper indication of the grade of excellence, among those who are to compete at any such place or office, and from whom selection, on the basis of competition, shall be made.

16. But where the result of any examination aforesaid shall show the excellence of any such applicant to be below the minimum grade of seventy *per centum* (on the basis of one hundred as perfect), the only entry thereof to be made in registers of the department or of local office shall be of the words "not eligible," which shall be written against the name

of such person in the register of applicants, and such applicant shall not be again examined for any department or office within six months of the date of the former examination.

17. The provisions of this rule do not apply to examinations for promotion, nor do they apply to the State Department in which examinations will be conducted under the provisions of the Executive Order of March 14, 1873.

18. Subject to the other provisions of this rule, the times of holding the examinations herein provided for in the first, third, fourth, and fifth districts, respectively, shall be fixed by the chief examiner, after consultation with the heads of departments at Washington. One examination, however, shall be held in each of the last mentioned districts prior to the first day of November next, and the chief examiner shall, on or before that date, make a report in writing to the Civil Service Commission setting forth generally the facts in regard to the examinations referred to in this rule, and appropriate suggestions for increasing their usefulness.

Rule 19. So many of the persons employed by the President under the 9th section of the act of March 3, 1871, as are referred to in the opinion of the attorney-general of the date of August 31, 1871, under the name of the Civil Service Commission, and are still in such employment, together with the successors of those who have resigned, and their successors, shall hereafter be regarded as composing, and shall be designated as, "The Civil Service Commission," and the use of the designation "Advisory Board," as referring to such persons, will be hereafter discontinued.

It will be seen by the following executive order that these rules have been approved by the Executive: —

"Washington, *August* 5.

"The Civil Service Commission, at its session at Washington, which terminated June 4, 1873, recommended certain further rules to be prescribed by the President for the government of the Civil Service of the United States. These rules, as published, are approved, and their provisions will be enforced as rapidly as proper arrangements can be made.

"(Signed) U. S. Grant.

"By the President:

"Hamilton Fish, *Secretary of State.*"

The International Penitentiary Congress of London. — On the 3d of July, 1872, the First International Prison Congress began its sessions. This occasion was noteworthy as the first consultation aiming directly at moral reform in which nations have ever united in an official way. There were delegates present, appointed by their respective governments, representing twenty different nationalities, including every European nation, except Portugal; and they met upon a common level

the representatives of various independent philanthropic institutions from different countries. It was essentially a meeting of experts. Most of the official delegates were prison officials, and nearly all the other members of the Congress were experienced in prison or reformatory management. The occasion was noteworthy, also, for the remarkable combination of theory with practical suggestion. Here were met men who had given thought, feeling, and study, to the subject of prison discipline from the philanthropist's point of view, who had adopted opinions and conceived hopes of reform which they were eager to maintain and defend; and here, also, were men of long personal experience in the actual working of various methods, and fully awake to all the difficulties to be met. When, therefore, after full and free discussion, the members of the Congress concurred in final action, their words deserve the profoundest consideration. The authority which goes with the recommendations of the Congress is something unparalleled. It is the voice of the best thought and the wisest experience of the world upon one of the most important questions of moral reform. The occasion was remarkable also for the vast amount of information gathered upon a uniform plan, and for the wide dissemination which was given to it. The representatives of each nation gave full statements of their experience and methods, and the results of this comparison, and of the discussions by which it was followed, will be carried by each to their respective governments, and will, through their personal representatives, and through the press, exert an incalculably great influence upon public opinion and action.

The accredited members of the Congress were about four hundred in number.

The sessions of the Congress continued for ten days — until July 13th. Papers were read by men of distinction and experience, and discussions held upon numerous questions of prison discipline. The topics considered were classified under three heads: *First*, Questions relating to the prisoner before conviction; *Second*, Questions relating to the prisoner during the time of punishment; and *Third*, Questions relating to the prisoner after discharge.

The prominent lessons and suggestions to be drawn from the reports and debates of the Congress, seem to be the need of more carefully trained prison officials, men having more faith in the possibility of reformations; the need of longer sentences for frequent offenders, giving time for reformatory measures to be brought into play; the need of more earnest appeal to the prisoner's moral nature, substituting hope for fear; the need of careful study of individuals, leading to a wiser adjustment of methods to special needs; the need of greater unity and stability of administration; the need of close and sympathetic watch of the discharged prisoner; and the need of earnest effort to check the operations of the men who supply the tools, the capital, and the market needed by the criminal class.

But the best expression of the results of the Congress is to be found

in the report of the International Committee at the concluding meeting, in which it endeavored "to formulate the prevalent views enunciated in the Congress, and to express the spirit of the meeting, not on matters of detail, but as to some of those leading principles which lie at the root of a sound prison discipline, and which must animate any system, whatever its nature, which is effective for the reformation of the prisoner, and the consequent repression of crime." This report met the unanimous concurrence of the Congress, and its suggestions have therefore the highest authority: —

"Recognizing as the fundamental fact that the protection of society is the object for which penal codes exist, and the treatment of criminals is devised, the committee believes that this protection is not only consistent with, but absolutely demands, the enunciation of the principle that the moral regeneration of the prisoner should be a primary aim of prison discipline. To attain this aim, hope must always be a more powerful agent than fear; and hope should, therefore, be constantly sustained in the minds of prisoners by a system of rewards for good conduct and industry, whether in the shape of a diminution of sentence, a participation in earnings, a gradual withdrawal of restraint, or an enlargement of privilege. A progressive classification of prisoners should, in the opinion of the committee, be adopted in all prisons.

"In the treatment of prisoners, all disciplinary punishments that inflict unnecessary pain or humiliation should be abolished; and the penalties for prison offenses should, so far as possible, be the diminution of ordinary comforts, the forfeiture of some privilege or of a part of the progress made towards liberation. Moral forces and motives should, in fact, be relied on, so far as is consistent with the due maintenance of discipline; and physical force should be employed only in the last extremity. But in saying this, the committee is not advocating unsuitable indulgence, which it believes to be as pernicious as undue severity. The true principle is to place the prisoner, who must be taught that he has sinned against society, and owes reparation, in a position of stern adversity, from which he must work his own way out by his own exertions. To impel a prisoner to this self-exertion should be the aim of a system of prison discipline, which can never be truly reformatory, unless it succeeds in gaining the will of the convict. Prisoners do not cease to be men when they enter the prison walls, and they are still swayed by human motives and interests. They must, therefore, be dealt with as men; that is, as beings who possess moral and spiritual impulses, as well as bodily wants.

"Of all reformatory agencies, religion is first in importance, because it is the most powerful in its action upon the human heart and life. Education has also a vital effect on moral improvement, and should constitute an integral part of any prison system. Steady, active, and useful labor is the basis of a sound discipline, and at once the means and test of reformation. Work, education, and religion are consequently the three great forces on which prison administrators should rely. But to carry out these principles, individualization becomes essential; prisoners, like other men, must be treated personally, and with a view to the peculiar circumstances and mental organization of each. The committee need not say that to carry out such views prison officers are required who believe in the capacity of prisoners for reformation, and enter heartily into that work. They should, as far as possible, receive a special

training for their duties, and should be organized in such a gradation of rank, responsibility, and emolument, as may retain experience and efficiency in the service, and lead to the promotion of the most deserving.

"But if a sound system of prison discipline be desirable, it is no less expedient that the prisoner on his discharge should be systematically aided to obtain employment, and to return permanently to the ranks of honest and productive industry. For this purpose a more comprehensive system than has yet been brought to bear seems to be desirable.

"Nor can the committee omit to say that it is in the field of preventive agencies, such as general education, the establishment of industrial and ragged schools, and of other institutions designed to save children not yet criminal, but in danger of becoming so, that the battle against crime is in a great degree to be won. In this, as in the general question of the reclamation of the guilty and erring, the influence of women devoted to such work is of the highest importance; and the committee rejoices that this Congress has had the advantage of the presence and counsel of many ladies whose practical acquaintance with prisons and reformatories has given weight to their words, and whose example furnishes hope for the future.

"Lastly, the committee is convinced that the systems of criminal statistics now in force stand in urgent need of revision. Greater uniformity should be secured, and means taken to insure a higher standard of accuracy and trustworthiness in this branch of the statistics of different countries."

At the close of the meetings of the Congress, a permanent International Penitentiary Commission was created, with the special object of preparing formulas for the collection of statistics and securing their adoption and use in all countries. This commission is composed of the following gentlemen: Dr. Wines, of the United States, Chairman; M. Beltrain Scalia, of Italy, Secretary; M. Loyson, of France; Baron von Holtzendorff, of Germany; Count Sallohob, of Russia; G. W. Hastings, Esq., of England; Dr. Frey, of Austria; M. Stevens, of Belgium; M. Pols, of Netherlands; Dr. Guillaume, of Switzerland.

The report submitted by Dr. Wines to the President, contains a vast amount of valuable information. The statements of the representatives of different nations have been carefully classified and digested by him, and the results of his own personal observations in various countries are added. It was through his influence that the United States government took the initiative in the formation of the Congress, and to his energy and good judgment that the success of it was in great part due.

E. C. G.

The National Prison Association of the United States of America. — This body, now some three years in operation, so largely instrumental, through its Secretary, in the formation and success of the International Congress, makes the following statement of its organization and purposes: —

NATIONAL PRISON ASSOCIATION OF THE UNITED STATES OF AMERICA.

President, — Hon. Horatio Seymour.

Vice Presidents, — Hon. James G. Blaine, Hon. Daniel Haines, Hon. Conrad Baker, Gen. Amos Pillsbury, H. W. Bellows, D. D.

Treasurer, — Salem H. Wales, Esq., 520 Fifth Avenue.

Secretary, — E. C. Wines, D. D., LL. D., 194 Broadway.

Board of Directors, — Wm. H. Aspinwall, James Brown, John Taylor Johnston, John E. Williams, Hon. Theo. W. Dwight, A. R. Wetmore, M. K. Jesup, Rev. C. L. Brace, O. S. Strong, John E. Develin, Esq., of New York; F. B. Sanborn, B. K. Pierce, D. D., of Massachusetts; Samuel Allinson, of New Jersey; Z. R. Brockway, of Michigan; C. F. Coffin, of Indiana; G. S. Griffith, of Maryland; Dr. E. W. Hatch, of Connecticut; Hon. R. B. Hayes, of Ohio; Dr. A. J. Ourt, of Pennsylvania; Hon. L. Stanford, of California; Hon. G. Wm. Welker, of North Carolina; Hon. R. K. White, of Kentucky; and the officers, *ex officio*.

Dear Sir, — The National Prison Association of the United States has organized a vast work, which promises the most auspicious results for the whole country, and in which it asks the coöperation of all the friends of public order, peace, and happiness. It has one aim, — the repression of crime and criminals, — which it seeks through reforms in the criminal law, reforms in prison discipline, and reforms in the principles and modes of dealing with discharged convicts.

It is often charged against the friends of prison reform that they are actuated by a morbid sympathy with criminals. We disclaim, in the outset, any such sentiment. On the contrary, there is nothing we desire more heartily, or will seek more persistently, than such criminal legislation as will render more swift and certain the detection and punishment of those who violate the laws. What we earnestly desire to see, and hope to do something towards bringing about, is: Few chances of escape to the criminal, short careers for him out of prison, and a reduction of the profits of crime below those of honest labor. To leave the chances of escape widely open, the careers long, and the profits large, while relying mainly on prisons and punitive agencies to check crime, is much like seeking to cure marsh fevers, and leaving the marshes undrained. The whole mass of habitual depredation exists through the defects of repressive legislation, and especially through the want of a properly organized, prompt, and systematic pursuit of the criminal by an honest and effective police force. What is wanted, and what the National Association will seek to secure, in this department of repressive justice, is: To render it difficult and laborious to the thief to get at property; difficult and laborious for him to convert it; difficult and laborious to escape detection. This would bring crime down to a minimum, so far as its commission depends on habitual transgressors.

But there is another department of preventive work more important, as well as more hopeful, than this. We refer to that which aims to save from an actual plunge into crime the multitudes of children in the land, who, from the circumstances of their birth and early surroundings, are in imminent peril of being led astray. Here is a wide and promising field, hitherto but little worked, at least in our country. It will be the business of the Association to study, and, if possible, to secure the application of the best agencies to accomplish this end.

Then there is the work of reforming and saving those children and youths who have yielded to temptation, and have actually fallen into crime. This is done, among us, through a class of institutions called Houses of Refuge or Reform Schools. But these are wholly wanting in nearly half the States of our Union; in many others their agency is employed only to a limited extent; while in none has it either the extent or the efficiency which might and ought to be given to it. The Association proposes to use its best endeavors to secure the establishment of juvenile reformatories in States where they do not exist, and their increase everywhere.

Both the agencies named above are important, but we regard the first as most efficacious in diminishing crime. A fact was brought out in the late International Penitentiary Congress of London, which strikingly shows the correctness of this view. The number of reformatories in England, that is, of institutions into which criminal children are received, has remained at precisely the same figure for the last ten years, namely, sixty-five, while that of industrial schools, into which are received only those who are in danger of becoming criminal, has more than doubled within the same period, increasing from forty-five to ninety-five, besides which there have been established a number of voluntary homes and refuges for the same class as are treated in the industrial schools. This shows that preventive institutions diminish, if they do not do away with, the necessity of reformatories; and it also clearly shows a most important channel into which the labors of the Society should be directed.

But it is not likely that crime can ever be wholly prevented, or that criminals will ever cease to be convicted and imprisoned. The question arises, What treatment shall they receive while shut up within prison walls? Hitherto, no general, and still less universal, well-concerted, systematic, earnest, and persistent effort has been made in any country to reform them, and to restore them to society fitted and disposed to quit a life of crime and enter upon a career of honest industry. A few well-considered experiments of this kind have been tried, which have been attended with remarkable success; those, for example, of Maconochie in Norfolk Island, of Montesinos in Spain, of Obermaier in Germany, and of Crotton in Ireland. The labors of the National Association will be directed to the endeavor to impress a reformatory character upon the prison discipline of the country; a work in which, from indications received from all quarters, we anticipate a general and cordial co-operation of prison authorities throughout the country. Nor do we hesitate to avow the belief that, when the effort to reform criminals shall have become universal, sincere, and earnest, and when such reform shall be sought by fit agencies, the results will be favorable to a degree not anticipated even by the most sanguine.

Still another department of the work of the Association will be to devise, and seek to have carried into effect, wherever it may be practicable, the best and most effective means of saving liberated prisoners from a return to crime; a most important work, and the essential complement of every good, and especially every reformatory, system of prison discipline.

Is the National Prison Association able to offer any guaranty of its power to accomplish, or at least to promote, the reforms indicated in the preceding paragraph? We think it is. Regarding it as dating, not from its formal organization, but from its real point of departure, — the Congress of Cincinnati, in 1870, — it numbers as yet scarcely three years of existence. Nevertheless,

it has made itself felt in every part of this country, and even to the extremities of the earth. Its influence is already coextensive with the civilized world. The Congress of Cincinnati, the Congress of London, and the Congress of Baltimore, with their actual and prospective results, are the proof. The last named of these conventions, made up of representatives from nearly every State of the Union, and some of its Territories, furnished abundant evidence of the wide and deep interest which has been awakened in these questions, and of the determination, everywhere entertained, to push the work of reform quite as fast as wisdom would dictate. Kentucky, Tennessee, Mississippi, Texas, Missouri, California, Oregon, Nebraska, and Michigan, all speak the same language. Means were taken at Baltimore to form committees of correspondence, to be composed of men and women pledged to work, whose duty it shall be to look after the interests of prison discipline and prison reform in their respective States and Territories.

The ameliorations proposed to be sought are: To eliminate partisan politics, as a controlling element, from our prison systems; to make the administration of our prisons permanent in the hands of competent officers; to make the reformation of criminals a leading aim of prison discipline; to organize, in such manner as to make thorough and efficient, the work of saving discharged prisoners; to multiply preventive agencies, both in the form of industrial and reformatory schools, and in that of police organizations, devised in the special view of making the commission of crime more difficult, its detection more certain, and its punishment more prompt; to enlighten and invigorate public opinion on these questions, so as to make it act effectively in the direction of needed reforms; to collect the most complete criminal, penitentiary, and reformatory statistics attainable in all the States and Territories of the Union; and to publish and circulate annually the fullest and most trustworthy statistical and other information which the Association can gather through its Committees of Correspondence, by personal visitation and inspection of penal and reformatory institutions, and by a careful study of the annual reports of such institutions, and the annual messages of the Executives of the several States.

It is obvious that the work, thus sketched, is one as wide in its reach as it is beneficent in its aims; and that its accomplishment can be looked for only through an immense amount of labor and no inconsiderable expenditure of money. It is to ask your coöperation in this work that the Association ventures to address to you the present communication. An annual contribution of ten dollars constitutes a person a member of the Association; a contribution of a hundred dollars makes the donor a life member; and a contribution of two hundred dollars a life director. To do its work well and efficiently, the Association, in addition to its Secretary, needs a corps of assistants to collect, examine, digest, and tabulate reports, and to attend to the manifold business which a thorough and persistent inspection of all our prisons and reformatories, and the other labors indicated above, would throw upon its hands. Twenty thousand dollars a year is the least sum adequate to the support of a bureau such as the National Prison Association contemplates. The Association is at present but the skeleton of what it aims and hopes to become. It can be clothed and assume the functions of a complete and vigorous manhood only through the generous support of enlightened and public-spirited citizens, who, blessed with pecuniary means, have also a corresponding sense of social responsibility.

Each member of the Association is entitled to a copy of the Annual Report. "The Complete Works of Edward Livingston on Criminal Jurisprudence, consisting of Codes of Penal Law for Louisiana and for the United States, with Introductory Reports to the same," in two thick royal octavo volumes, will also be presented to every person who becomes a member of the Association by subscribing ten dollars or more to its funds. This great work of one of the great legal lights of the world has been published by the Society with money generously proffered for this express purpose.

By order of the Board of Directors:

HORATIO SEYMOUR, *President.*

E. C. WINES, *Secretary.*

Dated at the office of the National Prison Association, 194 Broadway, New York, March, 1873.

Special attention is asked to the following paper, signed by a number of distinguished gentlemen: —

The foregoing circular of the National Prison Association shows that it is already taking the lead in organizing the public opinion of the world on the penitentiary question. But while this is gratifying to the pride and self-esteem of Americans, it must be confessed that our home work in prison reform is far from being either as well organized or as effective as it should be. Our national civilization, and especially our moral and religious life as embodied in it, do not find adequate expression in our penitentiary establishments. The National Prison Association has, it appears, charged itself with the labor of changing this state of things. It proposes to keep up a perpetual study of the condition of American prisons; to spread before the public both their excellences and defects; to arouse, by public meetings and through the press, a general interest on the question, and to instruct and strengthen public opinion till the needed reforms, both legislative and administrative, shall have been accomplished. Nothing, however, in such an undertaking, can be done without money; and the undersigned, in giving their personal approval to the objects and labors of the Association, commend it to the generous support of enlightened and humane citizens in every part of the country.

SALMON P. CHASE, Chief Justice of the United States.
JAMES MCCOSH, D. D., LL. D., President College of New Jersey.
THEODORE D. WOOLSEY, D. D., LL. D., ex-President of Yale College.
JOHN A. DIX, Governor of New York.
EDWARD F. NOYES, Governor of Ohio.
JOEL PARKER, Governor of New Jersey.
SIDNEY PERHAM, Governor of Maine.
HORATIO POTTER, D. D., Bishop Diocese of New York.
MORGAN DIX, D. D., Rector Trinity Church, New York.
E. S. JANES, D. D., Bishop M. E. Church, New York.
HOWARD CROSBY, D. D., Chancellor University of New York.
WILLIAM ADAMS, D. D., New York.
H. W. BELLOWS, D. D., "
WM. R. WILLIAMS, D. D., "
WM. M. PAXTON, D. D., "
J. O. MURRAY, D. D., "
GEO. L. PRENTISS, D. D., "

CHARLES O'CONOR, Esq., New York.
A. A. LOW, "
WM. E. DODGE, "
PETER COOPER, "
WM. C. BRYANT, "
JACKSON S. SHULTZ, "
JONATHAN STURGES, "

Under the auspices of this Association, a National Prison Reform Congress was held at Baltimore, January 21–24, 1873, which was largely attended, and afforded much important information and many valuable suggestions. E. C. G.

A SEPARATE PRISON FOR WOMEN. — At the earnest solicitation of the Commissioners of Prisons of the State of Massachusetts, the subject of a separate prison for women was brought prominently before the legislature and the public during the last winter. Meetings were held in Boston under the auspices of the American Social Science Association, and able statements made and thorough discussions had before legislative committees. But although a strong sentiment in favor of the movement was developed, the action of the legislature was adverse.

There seems to be an apathy in the public mind in regard to this most imperative need, and it is felt that the first step to be taken is to awaken general attention and enlighten public opinion upon the subject. A league has therefore been formed, the object and plan of which is set forth in the following statement: — E. C. G.

A LEAGUE FOR THE ESTABLISHMENT OF A SEPARATE PRISON FOR WOMEN.

A few years ago the only object in the confinement in prison of persons convicted of crime was *punishment*. The possibility of their reformation was hardly recognized. They received, consequently, not only no moral or useful training, but the influences to which they were subjected in confinement tended still more to confirm them in their evil courses. As a rule, a person once committed to prison was almost certain to return to it more hardened than ever. The attempts for the reformation of this unfortunate class, begun on a limited scale and with many doubts, have now proceeded so far as to prove beyond all controversy that their reformation is possible, and further, that judicious treatment of prisoners, guided by true Christian love, is not only an obligation resting on those in charge of them, but also is sure to be followed by beneficial results. They have proved more — that a system of prison discipline that aims at the reformation of the offender, is by far the most economical, in a pecuniary point of view, for society and the state, in relieving them of those who, but for their reformation, would be a constantly recurring charge.

The course of treatment, which while it punishes seeks to reform, requires material modifications of the system now in use in this State. One of the most important of these is the establishment of *separate prisons for women*. At the

present time there are, scattered throughout its jails and houses of correction, about three hundred and twenty-five female prisoners; in Bridgewater and the House of Industry, four hundred and twenty-five more; making seven hundred and fifty in all. These women are now without secular or adequate religious instruction. They are not trained so as to be able to support themselves in a reputable calling on leaving their prisons. They are, as a rule, under the control of male keepers by day and by night. They are not separated from the male prisoners so that communication is impossible. It too often happens that those who now have charge of them have no faith in the possibility of their reformation, and therefore have no inducement to make any efforts to that end.

From the facts stated, it must be obvious to every one that any adequate system of reform must provide for the collection and classification of female prisoners; so that a young girl, who has taken through accident, inadvertence, or thoughtlessness, but one step in the downward path, from which she may easily be reclaimed by judicious training and proper associations, should not be left in the company of those who for years have been hardened in crime. Left to such associates, whom she now is certain to find in prison, it is almost inevitable that she should become tainted by their contact or example. To carry out this classification so as to secure the best possible results both in the reform of the prisoners and in the remuneration realized from their labors, they must be placed under the control of competent, conscientious, and painstaking keepers of their own sex.

To secure such a result, called for alike by the dictates of humanity and Christian charity, as well as by considerations of pecuniary advantage, there has been formed a *league;* and those who join it pledge themselves to continue their work till it is crowned with full success.

No other condition is imposed than earnest coöperation in our work. A contribution, however, of twenty-five cents is solicited to defray expenses of printing and postage.

We, the undersigned, approving of a separate prison for female convicts, unite ourselves in a league for the more speedy establishment of such a prison in this commonwealth.

BOSTON, *July*, 1873.

MRS. H. V. POOR, Brookline, *Secretary.*

MRS. C. W. DEXTER, Hotel Kempton, Boston, *Treasurer.*

(Please sign the accompanying pledge and return to the Secretary.)

MISS CARPENTER'S VISIT TO AMERICA.—The cause of education and reform has been greatly strengthened during the opening months of the year by the presence of Miss Mary Carpenter, whose name is honored wherever there are any who seek to better the condition of their fellows. Several meetings were held in Boston and elsewhere that her views might be heard upon the education of women in India, upon the best methods of prison discipline, and upon juvenile reform. The impression of her teaching and example will be long felt and will tend to the noblest issues. E. C. G.

At the request of Dr. Wines, Miss Carpenter prepared a small book containing a description of "Reformatory Prison Discipline as developed

by the Right Honorable Sir Walter Crofton, in the Irish Convict Prisons," for the use of the Congress in London. By the liberality of Mrs. Hemenway of Boston, this Association has been able to distribute a large number of copies of this valuable book throughout the United States. Copies of it, and of the report in full of the transactions of the Congress, are in our library, and at the service of members and all persons interested in the subject. J. M. B.

REPORT ON THE DRAINAGE QUESTION IN BERLIN, BY RUDOLF VIRCHOW.[1] — Of the above most important addition to Sanitary Science we can give only a very brief abstract.

Of the two principal modes of cleansing and draining large cities, namely, the sewer system, and the "tub and pail system," the preference is given to the former, on account of the practical difficulties in the way of carrying out the latter. Both methods, must, however, be employed; it is a practical absurdity to carry off by sewers the solid and liquid excremental matters, the soil-water, the surface drainage, and the refuse, both solid and liquid, of manufacturing establishments. The use of cess-pools is entirely disapproved, and should be abandoned. Drains ought to be constructed at a certain depth below the surface, for the purpose of carrying off the soil-water whenever it reaches a given height. The main drains may consist of masonry or of glazed earthen pipes, with branch drains of unglazed pottery.

Foul water ought not to be discharged into flowing streams. It is well known that very successful experiments have been conducted near Paris, London, and Berlin, by which considerable tracts of barren, sandy soil have been redeemed by irrigating with the liquid, not the solid, sewage of these cities. In regard to Berlin it is stated that the process is advantageous in every way; it does not pollute the air, does not contaminate the soil-water, and is commercially profitable besides.

None of the methods tried for disinfecting the sewage and the dry-closets has been found adapted for general use in large cities; and it may be stated that at present there exists none which can be considered as generally practicable from the sanitary, financial, and economical points of view.

The pneumatic system of Liernus is not accepted; and in regard to the "tub and pail system," statistics are given showing its unfavorable results in Manchester as compared with those of the sewer-system of London.

Great attention has been paid by the Commission to the study of the soil of Berlin, its temperature, the fluctuations in the temperature and height of the soil-water, the height of the Spree, the amount of rain-fall,

[1] *Reinigung und Entwasserung Berlins-Generalbericht über die Arbeiten der städtischen gemischten Deputation für die Untersuchung der auf die Canalisation und Abfuhr bezüglichen Fragen, erstattit von R. Virchow, Mitglied der Stadtverordnetm-Versamenlung, mit Tafeln und Tabillen.* Berlin, 1873.

the chemical composition of the Spree, and the geological structure of the soil. In short, the manner in which the work has been executed, evinces an extraordinary degree of intelligence and perseverance, such as we had reason to expect from a work supervised by the distinguished gentleman whose name heads the report.

The Commercial Bureau of Statistics has furnished the material for important statements in regard to the mortality of Berlin for the last seventeen years. It is found that the ratio of deaths to population is increasing, and that this increase affects infants especially. The percentage of deaths from infectious diseases has risen considerably; in the seven years from 1854 to 1861 it was 21.15 per hundred; in the ten years from 1862 to 1871, 29.85 per hundred. Deaths from consumption remain in nearly the same proportion as heretofore. Typhoid fever increases as the level of the soil-water falls, and *vice versa*. "Dry years are typhoid years." The season of maximum mortality is the summer, when the soil-water stands lowest. In other parts of Europe, the period of greatest mortality is usually the spring and the close of winter. In regard to the influence of the houses upon health, it is stated that of every thousand persons inhabiting cellars, 25.3 die annually; of those living in basements, 22.0; in the first floor, 21.6; second, 21.8; third, 22.6; fourth and above, 28.2. D. F. L.

An American University. — In the fourth number of our journal some information was given relative to the movement for the establishment of a National University. The subject of university education in this country is one of primary importance. So close is the connection between all grades of education, that it is not too much to say that the future value of our system of public instruction, down to the humblest primary school, will depend upon the character that we now give to our universities strictly so called. It will be the object of the American Social Science Association to do all it can to contribute to a sound public opinion upon the principles involved in this question, and to publish in our journals any valuable suggestions for and against any proposed movements in relation to it. The movement in question is one of them.

At the late meeting of the National Educational Association held at Elmira, New York, President Eliot of Harvard presented a report upon it which was published in the "Boston Daily Advertiser," and other newspapers.

By the permission of President Eliot we print a copy in full of that report.

REPORT ON A NATIONAL UNIVERSITY, BY CHARLES W. ELIOT, READ AUGUST 5, 1873.

This report has three parts, — first, an account of what this Association has done about a national university since 1869; secondly, an examina-

tion of two bills on the subject which were brought before Congress in 1872, and lastly, a discussion of the true policy of our government upon this matter.

At the conclusion of an address on "the Progress of University Education," delivered by Dr. John W. Hoyt, of Wisconsin, before the National Teachers' Association at Trenton, New Jersey, on the 20th of August, 1869, the following resolution was unanimously adopted: —

"*Resolved*, That, in the opinion of this Association, a great American university is a leading want of American education, and that, in order to contribute to the early establishment of such an institution, the president of this Association, acting in concert with the president of the National Superintendents' Association, is hereby requested to appoint a committee consisting of one member from each of the States, and of which Dr. J. W. Hoyt of Wisconsin shall be chairman, to take the whole matter into consideration, and to make such report thereon, at the next annual convention of said Association, as shall seem to be demanded by the interests of the country."

This committee was duly appointed, but did nothing whatever during the year 1869–70. Nevertheless, the chairman, acting in the name of the committee, presented at the Cleveland meeting, in August, 1870, what was called "a preliminary report," and asked that the committee might have more time. This preliminary report describes in elevated language the "leading offices of a true university," compares our existing institutions with European universities, paints a glowing picture of the future of the United States, sets forth with enthusiasm what a great university would do for the country, avoids all embarrassing details, leaves the precise character of the institution, its location, its constitution and mode of government quite undefined, and assumes only this — that there should be one great central institution, and that for the founding and endowing thereof the private citizen, the State, and the general government must unite. It passed by all matters likely to suggest objections, and called for no specific action whatever on the part of the Association; the chairman alone was responsible for it, and it bore only his signature. Of course the report was accepted and the request for more time was granted.

At the St. Louis meeting of the National Educational Association, in August, 1871, Dr. Hoyt and a minority of the committee appointed in 1869 presented a second report. This report again avoids all details of what the proposed institution should be and where it should be, but says in general terms that it should be comprehensive, high, free, rich, untrammeled by considerations of section, party, or creed, and so coördinated with the other institutions of the country as in no way to conflict with them. Further, this second report defines in some measure what the preliminary report vaguely spoke of as the necessary coöperation of the citizen, the State, and the general government. It appears in the second report that "the original endowment . . . . will need to be furnished by the government, and Congress must therefore determine the general

terms and conditions upon which the institution shall be administered;" that "proper authorities in the several States may have a voice in its management," and that "individual citizens and associations of citizens should be cordially invited to endow such departments . . . . as shall most enlist their sympathies." The report then presents some arguments in favor of the right of Congress to endow a university, and says that the idea of a national university "is in perfect harmony with the policy and practice of the government," and that "it remains but to determine the means best calculated to secure the adoption of the most judicious plan for the institution, and to insure the congressional and other aid necessary to the full success of the enterprise." Thereupon the committee recommend that "there be raised a new and permanent committee of less numbers than the present — say fifteen —. . . . to be known as the National University Committee," "that a quite limited number of members thereof should be a quorum for the transaction of business at any regularly called meeting, and that a majority shall have power to supply . . . . vacancies . . . ." The concluding sentence of the report is as follows: "A committee of this character would be able, in the first place, to concentrate the best thought of the country upon the various important questions involved in the perfection of a plan for the institution; and, secondly, to marshal the strength of the country in systematic and effective support of the measure, when at last formally brought to the attention of Congress." This report was signed by a little less than half of the members of the original committee. The report was accepted, and the proposed permanent committee of fifteen was appointed. I do not find that the number of members of this committee which should constitute a quorum was fixed by the Association. By taking this action at the St. Louis meeting, the Association showed that it entertained the idea of a single dominant university for the country, and contemplated, without disapprobation, the establishment thereof by the general government, and through its committee the Association undertook — first, to prepare a plan for such an institution, and, secondly, to urge the plan, when prepared, upon Congress.

The permanent committee appointed in August, 1871, under these circumstances had serious work to do and grave responsibilities to bear. What has it done? The members were all very busy men, and they were scattered over the country from Massachusetts to Oregon and from Minnesota to Louisiana. Several of them were appointed without their knowledge and consent. The natural consequences have followed. There has never been a meeting of the committee competent to transact business. Nine of the gentlemen whose names were announced at St. Louis as members of this committee have informed me that they never attended a meeting of the committee; two more members never attended any meeting except a brief one in a hotel parlor at St. Louis shortly after the committee was named, a meeting which could not possibly have been

competent to transact business. Of the other four members, one is the chairman, two have been long absent from home and inaccessible to my inquiries, and one has not answered my letters. It is obvious that as a body authorized to speak and act in the name of the National Educational Association this committee has never had a moment's existence. I congratulate the Association that it is thus far free from all responsibility for whatever may have been done since August, 1871, about a national university. The permanent committee which the Association then constituted upon this subject was never organized, and no one has had any authority to speak in its name or in the name of the Association.

Notwithstanding this state of things, some not unimportant action was taken in the spring of 1872, looking to the establishment of a national university by Congress. Two bills to establish a national university were brought into the Senate, one of which was drawn by Dr. J. W. Hoyt of Wisconsin, the chairman of the committee appointed at St. Louis, and was presented at his request by Senator Sawyer of South Carolina. Of this bill, so well informed a person as General Eaton, Commissioner of Education, himself a member of the St. Louis committee, says in a letter to me, "It is the one, as I understand the facts, which was favored by the committee appointed by the National Educational Association, of which Dr. J. W. Hoyt of Madison, Wis., is chairman." There is no doubt that this was the common impression among persons who knew anything about the presentation of the bill brought in by Senator Sawyer on the 20th of May, 1872. It behooves the Association to understand how this impression was produced, and what grounds there were for such an opinion. Dr. Hoyt has been for the past four years chairman of a committee on a national university, appointed by the National Educational Association, and the action of the Association in 1871 made him chairman of a permanent committee, although the committee has never met. In that capacity he wrote letters in the winter of 1871–72, to a large number of persons interested in education, asking their opinions and advice about a national university, and inclosing a draft of a bill to establish such an institution. These letters undoubtedly got more attention from the persons addressed because, in many cases at least, they were written on the paper of the Bureau of Education at Washington, and were sent out from that office with envelopes for the free transmission of the replies back to the Bureau. Dr. Hoyt has also talked in the course of the last four years with a considerable number of persons professionally concerned with education upon the subject of a national university, and has received from them a mass of suggestions and opinions in great variety. Among the persons so consulted by him, either orally or in writing, were most of the members of the committee named at St. Louis. Three or four of the committee felt a real interest in the subject and devoted some attention to it, but they never had the advantage of common consultation, and all their suggestions were filtered through the mind of the chairman.

The bill brought into the Senate by Senator Sawyer, was therefore the work of a private citizen, having a certain indorsement from this Association, who consulted such persons as he thought best to consult, and took as much of their advice as he liked. It was in no proper sense the work of this Association or of any committee thereof. The impression that it was favored by a committee of this Association has only this warrant, that parts of it commended themselves to certain gentlemen who were named in 1871 on a committee which was never organized, and who therefore had only their individual opinions to express. I have been thus particular in describing what has taken place in regard to the project for a national university which was started in this Association in 1869, because, as I examined the matter, I thought that partly through easy good nature, and partly through that haste in the transaction of business which is almost unavoidable in such a large assemblage as this, coming together for two or three days once a year, the Association had run a serious risk of being placed in a false position before the public upon a subject of much importance to American education. It has seemed to me that the Association would do well to be cautious about constituting permanent committees, and about passing general declaratory resolutions, particularly if the resolutions convey a recommendation to some superior power, as to Congress, a State legislature, or the public at large.

I now pass to the second part of my subject, — an examination of the two bills to establish a national university, which were presented in the Senate in the spring of 1872. These two bills are tentative plans for creating a crowning university, richer, better, and more comprehensive than any existing institution, and under the patronage of the general government. They are the work of private individuals only, and nothing has thus far come of them; but they are before the country as having been read twice and referred to the committee on education and labor in the Senate of the United States. In the bill presented by Senator Howe of Wisconsin, March 25, 1872, the different faculties of the proposed university are all specified to the number of ten, and the professorships in each faculty are designated in detail, except in the faculties of military science and naval science. The same authority which establishes a faculty or a professorship can of course abolish either at any moment, and so get rid of unpopular incumbents. The president of the university is to be appointed by the President of the United States, with the consent of the Senate. The heads of the ten faculties are to be appointed by the president of the university, with the consent of the Senate of the United States. The president and the heads of faculties constitute an executive senate of the university. Professors are to be appointed and may be removed by this university senate, and private teachers are to be licensed by the same body. The president is to have the same salary as the Chief Justice of the United States, and the heads of

faculties are to have the salary of a judge of the district court of the United States. These places are desirable so far as pay, patronage, and conspicuousness go; they would be desired by a great number of incompetent people; the more so because these eleven officers would never be brought, like a professor, to any public test of their capacity. There is no reason whatever to suppose that the appointments would be made on any better method than that which now prevails in United States custom-houses and post-offices. We are disgracefully habituated to custom-house "rings," and post-office "rings;" last winter the newspapers talked much of an agricultural college "ring." The spectacle of a national university "ring" would be even less edifying. There is, indeed, in the bill a futile attempt to make the tenure of office of the president of the university the same as that of the judges of the Supreme Court of the United States. The Supreme Court, however, was not established by Congress, but by the Constitution, and the judges of that court are consequently out of the reach of Congress; the president of a university established by act of Congress would not be. The bill gives no security whatever that all the appointments in the university would not be of the nature of political appointments. This is a fatal defect in any congressional bill to establish a university, so long as the principles of appointment to United States offices and the tenure of those offices remain what they now are. The only tenure of office which is fit for a teacher is the tenure during good behavior and competency; and this is the only tenure which will secure the services of competent professors in colleges and universities. The frequency of the elections of teachers is a very bad feature in our public school system. Permanence of tenure is necessary to make the position of a teacher one of dignity and independence. Young men of vigor and capacity will not enter a profession which offers no money prizes, unless they are induced by its stability and peacefulness, and by the social consideration which attaches to it. The system which prevails in most of our large cities and towns, of electing the teachers in the public schools at least as often as once a year, is inconsistent with this dignity, peacefulness, and consideration, unless a firmly established custom of reëlecting incumbents converts the constantly recurring elections into mere formalities. We must all bitterly deplore the mortifying fact that for more than a generation neither dignity, peacefulness, nor social consideration has attached to any appointment in the civil service of the United States. The man appointed has sometimes adorned his office, but the office has never adorned the man. Until the service of the United States becomes, through a complete reform, at least as respectable and secure as the service of a bank, an insurance company, a manufacturing corporation, or a railroad company, not to speak of college and academy corporations, Congress cannot establish a university which will command the respect of educated Americans or win the confidence of the country, unless the appointing power for the

university is made absolutely independent of all political influence. So far from doing this, the bill before us provides no effectual barrier whatever against political appointments. In several sections of the bill there is a provision that for certain appointments certain specified classes of persons shall "receive the preference," — a provision of no binding or effective force whatever. There is only one really efficient provision of this character in the bill presented by Senator Howe, and that one might reasonably give serious concern to persons who live in the Territories, forts, arsenals, navy yards and light-houses of the United States. It is provided in section sixteen, that after the year 1880 graduates of the national university in medicine and surgery "shall alone be entitled to practice medicine and surgery in any territory over which the United States shall have exclusive jurisdiction."

I shall barely mention some of the minor faults of Senator Howe's bill. To an experienced college official, the following description of the qualifications for admission to the university seems absurdly vague, "a good moral character and such intellectual attainments as are indicated by graduation at the colleges, universities, and best class of high schools, as established by law in the several States of the United States." With the author of this bill the four years of study which generally come between graduation at a high school and graduation at a college count for nothing at all. Universities and high schools are spoken of as equivalent institutions. There may be States in this Union in which this classification is essentially correct; but there certainly are not a few States in which it is conspicuously inexact.

The bill provides that professors shall receive salaries varying from $1,000 to $2,500 a year, and that each professor may also exact a fee of ten dollars a year from each student attending his course. Under this system the professors of popular subjects might thrive; but I fear that the professors of Oriental philosophy, scholasticism, Sclavonic languages, the Coptic language, ecclesiastical law, and similar rather remote subjects, would starve. Neither students nor teachers in this country like the fee system; it has worked well in Germany, but has never been domesticated here except in medical schools, where it has done a great deal of harm. It creates a disagreeable money relation between teacher and student, and introduces into a faculty illiberal contentions. By section eighteen of this comprehensive bill, the Military Academy is removed from West Point, and so changed as to be practically abolished. This measure seems rather too grave to be brought in as an incidental part of a bill to establish a national university.

The seventeenth section, relating to the faculty of agriculture, gives countenance to delusions which have already done much mischief in the United States, and still bid fair to cause further waste of public and private resources. The first of these delusions is the model farm. The model farm, like the model machine-shop, is almost universally a model

of nothing but misapplied labor, misdirected experimentation and unprofitable investment. It can be useful to the young agriculturalist only as a warning; it can teach him how to spend money, but not how to make money on a farm. The other mischievous delusion to which I wish to call attention is, that the labor of a young man upon a farm for four hours a day is in any sense compensation for his board, lodging, clothing, and tuition. All such arrangements are charities injudiciously disguised from the recipients. It is this disguise which makes the general method so well fitted to breed shirks. There lurks in all devices of this sort the notion that study and thinking are not physical exertions; so that after prolonged study a man may be just as fit for physical labor as if he had not worked with his brains. This is a profound mistake which has real danger for conscientious and ambitious youth; such young persons may easily be betrayed by this false opinion into disastrous over-exertion. What is called mental labor is really the most exhausting, continuous physical exertion which men can make, although the sense of fatigue from an excess of what is called brain-work is generally not so irresistible at the moment as the fatigue caused by too much hammering, hoeing, or walking. Section twenty-one of this bill provides "that the seat of the university shall be at the capital of the United States." I reserve this point for discussion in connection with the other bill to which I now invite your attention.

The important feature in the bill presented in the Senate by Senator Sawyer on the 20th of May, 1872, is the mode in which its author endeavored to provide a government for the university which would have some chance of being free from political influences; or in other words to deprive the government of the United States of all power over the university from the moment of its establishment, except, of course, the power to abolish it. By this bill the government of the university is vested in a board of regents, numbering fifty-five persons, a council of education numbering seventeen persons, a council of faculties which includes all the executive officers of the university and all professors, and a general council of the university, "composed of all members of the board of regents, council of education, council of faculties, and all graduates of the university of five years' standing." The last named body, which in the course of years would become very numerous, has only power to make recommendations to the other boards. The duties of the council of faculties are not prescribed with distinctness. The real governing bodies are the board of regents and the council of education. It is provided, "that the board of regents shall consist of one member from each State of the United States, to be appointed by the governor thereof with the advice and consent of the chief justice and the superintendent of public instruction, or other like officer of his State; five members from the country at large to be appointed by the President of the United States, with the advice and consent of the Chief Justice, commissioner of

education, and chief officer of the university, and the following members *ex-officio*, to wit, the Chief Justice of the United States, Commissioner of Education, Commissioner of Agriculture, Commissioner of Patents, Superintendent of the Coast Survey, Superintendent of the Naval Observatory, Secretary of the Smithsonian Institution, President of the National Academy of Sciences, President of the National Educational Association, President of the American Association for the Advancement of Science, President of the American Philological Association, President of the American Social Science Association, and the chief officer of the university, fifteen to be a quorum." The members representing States are to serve six years, and the members at large ten years. The specified duties of the regents are "to enact laws for the government of the university, to elect the officers thereof, to determine the general conditions of admission to the university, and to confer appropriate degrees." It is expressly declared, that "no faculty shall be organized, no chair created, no salary determined, and no professor appointed or removed without the approval of the board of regents." With so large an organization to direct, and such important powers to exercise, the board of regents would need to have several meetings a year. Two meetings a year would obviously be the least possible number. The cumbrousness and the costliness of so large a board, with its members scattered all over the country, need not be enlarged upon. It is obvious that the author of the bill did not expect the members of the board of regents to attend its meetings with much constancy, for he named a quorum which is only one more than a quarter of the number of members. To name a small quorum for a large body of trustees, regents, or directors, is to countenance that neglect of their duty on the part of the supposed managers of public and private institutions of trust, charity, or education, which has been so frequently and so grievously illustrated during the past few years. The principle upon which the board is chiefly made up is a very questionable one. Why should there be one member from each State in the governing board of a university, about which there is to be nothing sectional, sectarian, or partisan? Such a principle of local representation implies that Maine and Oregon, Minnesota and Florida, may have different interests in the institution. The different States of the Union may easily have different interests about customs, internal taxes, banking, railroads, canals, commerce, and mail routes; so that our legislative bodies are naturally formed on the principle of local representation; but there is no reason for a similar constitution of the government of the university. Philology, history, philosophy, science, and mathematics, are the same in Massachusetts and California. The professorships might as well be divided among the different States, as the places in the board of regents. Indeed, if this vicious principle were admitted in the constitution of the chief governing board, we should fully expect to see the university offices parceled

out among the different States just as political appointments now are. There are twelve *ex-officio* members of the board of regents, none of whom, in all probability, could give the smallest attention to this function of governing a university. Take, for instance, the Chief Justice of the United States, the Commissioner of Education, the Superintendent of the Coast Survey, and the Secretary of the Smithsonian Institution; each of these officials is fully occupied with the regular work of his own proper office. It is an imposition upon these gentlemen to make them devote time and thought to a matter so utterly distinct from their official employment as the management of a university; and if they are not to give time and thought to the university, the public are imposed upon by the list of *ex-officio* members of the board of regents. I know no surer way to procure an inefficient body of trustees than to constitute it in good part of officials who will probably have but a slender interest in the matter of the trust, and whose regular duties leave them little time and strength for extraneous functions involving labor and responsibility. The author of the bill doubtless perceived that the board of regents would be an unwieldy and incompetent body; he therefore contrived a sort of executive committee called the council of education. This council consists of six regents, six members of the council of faculties, and five *ex-officio* members, to wit, the chief officer of the university, Commissioner of Education, Superintendent of the Coast Survey, Superintendent of the Naval Observatory, and Secretary of the Smithsonian Institution. Of this body of seventeen members ten is a quorum. This is the working body. It is charged, in the language of the bill, "with the organization of faculties, the appointment and removal of professors and teachers, and, in general, with the educational management of the university;" but it subsequently appears that in all these things the approval of the board of regents is essential. The council of education is the board which would attend to details and prepare the business of the board of regents. It would have to meet very frequently, and as the presence of its *ex-officio* members would ordinarily be out of the question, three out of the six regents from as many different States would have to be called in to make a quorum. The resident officers and professors of the university would supply the other seven members. A board thus constituted is an untried experiment; its working would be a curious problem. The majority of its active members would be professors, who would be called upon to advise the regents about all questions of appointment, pay, rank, and promotion concerning their colleagues and themselves. The object which the author of this bill had in view in devising this elaborate arrangement of governing boards for his university was a laudable one, namely, to detach the national university from the national government, but his scheme is too novel, complicated, and unpromising to command the confidence of persons experienced in conducting educational institutions.

In singular contrast with the general tenor of this bill, the fifteenth

section gives Senators and Representatives a right to nominate candidates from their respective States or districts for scholarships which secure free tuition for five years, thereby copying the worst feature in the organization of the Military Academy at West Point and the Naval Academy at Annapolis, and giving members of Congress another excuse for neglecting their proper legislative functions to busy themselves with patronage. This very objectionable section of the bill was probably intended as a bid for the votes of the members of Congress; but it is a very small bid, for section thirteen provides, "that instruction shall at all times be as nearly free for students as is consistent with the income of the university and the best interests of learning." This is a sounding phrase capable, like not a few other phrases in this bill, of widely differing constructions, but it strongly suggests free tuition. Free tuition in a place of professional or other high education is always objectionable, because it is a perfectly indiscriminate charity; when this indiscriminate charity is to be supported by national taxation it is doubly objectionable.

Section fourteenth of the bill contains the singular provisions, that "no person shall be admitted for purposes of regular study and graduation who has not previously received the degree of bachelor of arts, or a degree of equal value, from some institution, recognized by the university authorities." Young Americans do not get the degree of bachelor of arts, on the average, before their twenty-second year. On these terms the regular students of the new university would, in my judgment, be few, except in the professional departments. This provision cannot be a serious one; it was probably intended to quiet the apprehensions of the three hundred institutions which now give the degree of bachelor of arts, and of course it can be repealed at any time.

Both the bills under discussion rely upon Congressional grants or appropriations for the maintenance of the university. Senator Howe's bill does not undertake to define the amount of the appropriations required. Senator Sawyer's bill grants twenty millions of dollars in the singular form of an unnegotiable certificate of indebtedness of the United States, bearing interest at five per cent. a year. One million of dollars a year is not a large estimate of the annual cost of the proposed university, considering the extreme wastefulness which characterizes most government expenditures. The private incorporated colleges and universities use their scanty resources with the greatest possible thrift. Their example is a wholesome one. I fear that the example of a university which had one hand in the national treasury would not be as salutary.

Both the bills plant the proposed university at Washington, a city which is the capital of the United States only in the governmental or political sense. This country has no London, no Paris, no Berlin, no Vienna, no Rome. We are fortunate that there is no single city in which all the activities of the nation, commercial, industrial, intellectual,

and governmental, centre. On the Atlantic coast are four large cities, each with a character and influence of its own; in the northwest is Chicago; on the Ohio is Cincinnati; on the Mississippi is St. Louis; on the Pacific, San Francisco. Every one of these local centres is vastly more important to the country than Washington, for Washington is a focus of neither foreign commerce nor domestic trade, neither manufactures, agriculture, nor mining, neither literature nor art. The climate of the city is not very healthy, and the presence of Congress and of the hangers-on of Congress does not make the city a better place of residence for young men at the forming period of life. There is no precedent in Europe for a single, dominant, national university endowed by government, and the only one so endowed, and situated at a national capital. London is in every possible sense the capital of Great Britain; but the chief universities of Great Britain are not in London. Berlin is the seat of a Prussian university subsidized by the state; but Prussia subsidizes several other universities as well. The university of Paris is only the largest branch of that single organization of public instruction which spreads all over France, is maintained by the government, and presided over like the army and the navy by a minister. In continental Europe all universities are subsidized by government. Such is the custom of those countries, a custom which is certainly not the outgrowth of free institutions. The leading university is now at Leyden, now at Paris, now at Bologna, now at Vienna, now at Heidelberg, now at Berlin, and now at Leipzig, the stream of students flowing fitfully from one place to another. The proposed university at Washington would bear no resemblance whatever to any of these famous seats of learning, in either its constitution or its surroundings.

And now let me recall to your minds for a moment the second duty which was assigned to the committee appointed at St. Louis in 1871. They were in the first place to prepare a plan for a national university, and in the second place they were "to marshal the strength of the country in systematic and effective support of the measure." What has really taken place? In introducing the first bill we have discussed, Senator Howe said, apologetically, "I ought to say by way of explanation, that this bill was not sent to me. It was drawn by some one, I do not know who, and sent to my colleague, and it is at his request that I present it." In presenting the bill which was supposed to have the sanction of this Association, Senator Sawyer said: "I wish to say in reference to this bill, that I introduced it by request. . . . . I do not wish to be understood as recommending it." Neither bill was supported by anybody in any way, and neither bill has been heard of since it was brought into Congress until this day. The senators who introduced them did not imagine for a moment that any legislation would grow out of them. As to the strength of the country being marshaled in effective support of either of these measures, the idea is comical. The whole proceeding is loose, crude, hasty, undignified, and unworthy of the subject.

I turn next to my third topic, — the true policy of our government as regards university instruction. In almost all the writings about a national university, and of course in the two Senate bills now under discussion, there will be found the implication, if not the express assertion, that it is somehow the duty of our government to maintain a magnificent university. This assumption is the foundation upon which rest the ambitious projects before us, and many similar schemes. Let me try to demonstrate that the foundation is itself unsound.

The general notion that a beneficent government should provide and control an elaborate organization for teaching, just as it maintains an army, a navy, or a post-office, is of European origin, being a legitimate corollary to the theory of government by divine right. It is said that the state is a person having a conscience and a moral responsibility; that the government is the visible representative of a people's civilization, and the guardian of its honor and its morals, and should be the embodiment of all that is high and good in the people's character and aspirations. This moral person, this corporate representative of a Christian nation, has high duties and functions commensurate with its great powers, and none more imperative than that of diffusing knowledge and advancing science.

I desire to state this argument for the conduct of high educational institutions by government, as a matter of abstract duty, with all the force which belongs to it; for under an endless variety of thin disguises, and with all sorts of amplifications and dilutions, it is a staple commodity with writers upon the relation of government to education. The conception of government upon which this argument is based is obsolescent everywhere. In a free community the government does not hold this parental, or patriarchal — I should better say godlike — position. Our government is a group of servants appointed to do certain difficult and important work. It is not the guardian of the nation's morals; it does not necessarily represent the best virtue of the republic, and is not responsible for the national character, being itself one of the products of that character. The doctrine of state personality and conscience, and the whole argument to the dignity and moral elevation of a Christian nation's government as the basis of government duties, are natural enough under Grace of God governments, but they find no ground of practical application to modern republican confederations; they have no bearing on governments considered as purely human agencies with defined powers and limited responsibilities. Moreover, for most Americans these arguments prove a great deal too much; for if they have the least tendency to persuade us that government should direct any part of secular education, with how much greater force do they apply to the conduct by government of the religious education of the people. These propositions are indeed the main arguments for an established church. Religion is the supreme human interest, government is the supreme human organization; therefore government ought to take care for religion, and a Christian gov-

ernment should maintain distinctively Christian religious institutions. This is not theory alone; it is the practice of all Christendom, except in America and Switzerland. Now we do not admit it to be our duty to establish a national church. We believe not only that our people are more religious than many nations which have established churches, but also that they are far more religious under their own voluntary system than they would be under any government establishment of religion. We do not admit for a moment that establishment or no establishment is synonymous with national piety or impiety. Now, if a beneficent Christian government may rightly leave the people to provide themselves with religious institutions, surely it may leave them to provide suitable universities for the education of their youth. And here again the question of national university or no national university is by no means synonymous with the question, Shall the country have good university education or not? The only question is, shall we have a university supported and controlled by government, or shall we continue to rely upon universities supported and controlled by other agencies?

There is then no foundation whatever for the assumption that it is the duty of our government to establish a national university. I venture to state one broad reason why our government should not establish and maintain a university. If the people of the United States have any special destiny, any peculiar function in the world, it is to try to work out under extraordinarily favorable circumstances the problem of free institutions for a heterogeneous, rich, multitudinous population spread over a vast territory. We indeed want to breed scholars, artists, poets, historians, novelists, engineers, physicians, jurists, theologians, and orators; but, first of all, we want to breed a race of independent, self-reliant freemen, capable of helping, guiding, and governing themselves. Now the habit of being helped by the government, even if it be to things good in themselves, — to churches, universities, and railroads, — is a most insidious and irresistible enemy of republicanism; for the very essence of republicanism is self-reliance. With the continental nations of Europe it is an axiom that the government is to do everything, and is responsible for everything. The French have no word for "public spirit," for the reason that the sentiment is unknown to them. This abject dependence on the government is an accursed inheritance from the days of the divine right of kings. Americans, on the contrary, maintain precisely the opposite theory, namely, that government is to do nothing not expressly assigned it to do, that it is to perform no function which any private agency can perform as well, and that it is not to do a public good even, unless that good be otherwise unattainable. It is hardly too much to say that this doctrine is the foundation of our public liberty. So long as the people are really free they will maintain it in theory and in practice. During the war of the Rebellion we got accustomed to seeing the government spend vast sums of money and put forth vast efforts, and we asked ourselves, why should not some of these great resources and powers

be applied to works of peace, to creation as well as to destruction? So we subsidized railroads and steamship companies, and agricultural colleges, and now it is proposed to subsidize a university. The fatal objection to this subsidizing process is that it saps the foundations of public liberty. The only adequate securities of public liberty are the national habits, traditions, and character, acquired and accumulated in the practice of liberty and self-control. Interrupt these traditions, break up these habits or cultivate the opposite ones, or poison that national character, and public liberty will be suddenly found defenseless. We deceive ourselves dangerously when we think or speak as if education, whether primary or university, could guaranty republican institutions. Education can do no such thing. A republican people should indeed be educated and intelligent: but it by no means follows that an educated and intelligent people will be republican. Do I seem to conjure up imaginary evils to follow from this beneficent establishment of a superb national university? We teachers should be the last people to forget the sound advice — *obsta principiis.* A drop of water will put out a spark which otherwise would have kindled a conflagration that rivers could not quench.

Let us cling fast to the genuine American method — the old Massachusetts method — in the matter of public instruction. The essential features of that system are, local taxes for universal elementary education voted by the citizens themselves, local elective boards to spend the money raised by taxation and control the schools, and for the higher grades of instruction permanent endowments administered by incorporated bodies of trustees. This is the American voluntary system, in sharp contrast with the military, despotic organization of public instruction which prevails in Prussia and most other states of continental Europe. Both systems have peculiar advantages, the crowning advantage of the American method being that it breeds freemen. Our ancestors well understood the principle that to make a people free and self-reliant, it is necessary to let them take care of themselves, even if they do not take quite as good care of themselves as some superior power might.

And now, finally, let us ask what should make a university at the capital of the United States, established and supported by the general government, more national than any other American university. It might be larger and richer than any other, and it might not be; but certainly it could not have a monopoly of patriotism or of catholicity, or of literary and scientific enthusiasm. There is an attractive comprehensiveness and a suggestion of public spirit and love of country in the term "national;" but, after all, the adjective only narrows and belittles the noble conception contained in the word "university." Letters, science, art, philosophy, medicine, law, and theology are larger and more enduring than nations. There is something childish in this uneasy hankering for a big university in America, as there is also in that impatient longing for a distinctive American literature which we so often hear expressed. As American life grows more various and richer in sentiment, passion,

thought, and accumulated experience, American literature will become richer and more abounding, and in that better day let us hope that there will be found several universities in America, though by no means one in each State, as free, liberal, rich, national, and glorious as the warmest advocate of a single, crowning university at the national capital could imagine his desired institution to become.

ELECTIVE STUDIES. — We copy from the "Nation" of July 31st the following very interesting statement in relation to this subject. It is very desirable that some well-considered plan be adopted by all our colleges to collect and report statistics of their experience. One of the first conditions for the useful discussion of any plan for improving a system of education is a true statement of what it is. In many cases such a statement would itself decide the question.

"There was a vague but very general impression a few years ago that if the elective system were introduced into the older American colleges, the practical sciences, as they are called, especially physics, chemistry, and natural history, would crowd out the study of the ancient languages. There was also a feeling that the obvious utility of the modern languages, and particularly of French and of German, would help to throw the 'dead languages' into the background. A great many enthusiasts fancied that the *beatissimi sæculi ortus*, the good time a-coming, was at hand, when books would be thrown aside, and all intellectual activity would be narrowed down to the study of physical nature; and so much noise has been made about the natural sciences that a great many people undoubtedly think this is the principal if not the only subject taught where an elective system prevails. The Harvard University Catalogue for 1872–73 groups the elective studies of the three upper classes under nine heads, and gives the number of students electing every individual study. This convenient arrangement enables us to ascertain the exact numbers in the nine departments enumerated in the catalogue; in other words, to ascertain what it is that the masses of students feel the need of most, and flock to most, when the choice is left entirely to themselves. We have taken pains to add the numbers together, and think the following summary, in which the order of the catalogue is followed, will be interesting.

"To prevent misunderstanding, it may be well to say that the numbers do not represent *students*, but *elections*. A student may elect French, German, Spanish, and English, in which case he would count *four* in modern languages; or, if he chooses physics, chemistry, mathematics, and natural history, he will count *one* in each of those departments: —

I. Ancient Languages	541	VI. Mathematics	114
II. Modern Languages	436	VII. Physics (including Chemistry)	199
III. Philosophy	79	VIII. Natural History	154
IV. History	193	IX. Music	9
V. Political Science	65		

"The absolute number of elections in ancient languages (under which the catalogue includes 14 students of elements of Roman law, 13 students of Hebrew, and one of Sanskrit) is 541; exceeding the numbers in modern languages (under which the catalogue includes three in Anglo-Saxon, 10 in the history and grammar of the English language, and 30 in English composition and English literature) by 105; exceeding the number in physics (including chemistry) by 342; exceeding the number in natural history by 387; exceeding the combined numbers of physics and chemistry and natural history by 188.

"The following table, in which the departments are arranged in the order of numbers, shows the percentage or relative number of students in each department, for every hundred students in ancient languages:—

Ancient Languages	100	Natural History	28
Modern Languages	80	Mathematics	21
Physics and Chemistry	37	Philosophy	15
History	35	Political Science	12

"The above percentages may be compared or grouped in different ways. Taking the fashionable division into 'literary' and 'scientific' courses, we may arrange them thus:—

Ancient Languages	100	Physics and Chemistry	37
Modern Languages	80	Natural History	28
History	35	Mathematics	21
Philosophy	15		
Political Science	12		
	242		86

"The above combination gives 242 : 86, or something short of 36 students in the 'scientific' course to 100 in the 'literary' course.

"Perhaps some objection may be taken to the classification made above. The modern languages may be regarded from two points of view. In one sense they may be called 'literary,' in another, regarded merely as a means to an end; to aid the student in scientific or professional work, they may be called 'practical.' So, too, with mathematics; as a preparatory study it is practical, as a disciplinary study it may fairly be put with the classical, historical, and philosophical studies which make the groundwork of the old-fashioned college. If, therefore, we choose to make another division, perhaps equally fashionable, into 'disciplinary' and 'practical,' we find by reversing the positions of modern languages and mathematics:—

Ancient Languages	100	Modern Languages	80
History	37	Physics and Chemistry	37
Mathematics	21	Natural History	28
Philosophy	15		
Political Science	12		
	185		145

"By this arrangement the disciplinary studies preponderate over the practical in the ratio of 185 : 145 or 100 : 78.

"The figures show conclusively that, in spite of the crusade which has been carried on against the ancient languages, they still are full of vitality, still a power, still a popular study, and, in fact, the greatest interest in the little college world. As our inquiry is purely numerical and statistical, we do not ask why the students make the selections they do. Doubtless the reasons are not very obvious; still one fact is plain, that they are not guided wholly by utilitarian views."

THE INTERNATIONAL STATISTICAL CONGRESS. — The eighth meeting of this Congress was held, last year, at St. Petersburg. The delegates from this country were Dr. Edward Young, Chief of the Bureau of Statistics, Treasury Department, Washington; Mr. William Barnes of Albany; and Mr. Edwin M. Snow of Providence. Owing to the exertions of these gentlemen, and to the earnest recommendation of the President, the Congress of the United States, on the last day of the session, passed a resolution authorizing the President to invite the Congress to hold its next session in this country, a copy of which is given below. We have been lately personally assured by Dr. Engel of Berlin, and other eminent statisticians in Europe, that they desire very much to hold a meeting in this country in view of the common advantages which they are sure would result therefrom. It would seem, therefore, that the opportunities are favorable on both sides, and it is to be hoped that they will not be allowed to slip by.

Statistics lie at the basis of all sound legislation, and of social science in all its departments. Skill in it is rare and difficult. It is comparatively a new science in this country, and we must do all we can to improve it. Any one who has seen the admirable machinery for this purpose in Europe, and the trained men who work it, must be sure that few things would be more likely to do this than the holding of the Congress here. The American Social Science Association will do all in its power to bring about so desirable an object. J. M. B.

A RESOLUTION AUTHORIZING THE PRESIDENT TO INVITE THE INTERNATIONAL STATISTICAL CONGRESS TO HOLD ITS NEXT SESSION IN THE UNITED STATES.

Whereas, The governments of Belgium, Austria, France, Great Britain, Prussia, Italy, Holland, and Russia, have heretofore extended invitations to the International Statistical Congress to hold sessions of the said Congress at their respective capitals, and eight different sessions of the said Congress have been held in accordance with said official invitations to the great advancement of the science of national and international statistics in its various departments, and to the uniformity of coinage, weights, and measures, and commercial regulations and statistical publications between the different nations; and whereas the United States of America are favorable to all

measures for promoting the advancement of statistical science, and to all efforts for the social advancement and friendly intercourse of the people of all countries; and whereas, also, the President of the United States, in his recent annual message to Congress, has submitted to this Congress the consideration of the propriety of extending an invitation to the International Statistical Congress to hold its next (ninth) meeting in the United States, therefore,

Resolved, by the Senate and House of Representatives of America in Congress assembled, That the President be, and he is hereby, authorized and requested to tender to the organization commission of the last session of the said Congress, recently held at St. Petersburg, a formal and cordial invitation to hold its next session in the United States of America.

SECTION 2. That if the said invitation shall be accepted, the President shall be, and he is hereby, duly authorized to appoint the usual organization commission, and to take the other preliminary and necessary measures for the meeting of the said body and the holding of its ninth session in this country, at such time as may be deemed expedient by the said Statistical Congress.

Approved March 3, 1873.

Inquiry is often made at this office for information as to the objects of associations for Social Science, the form of organization, the subjects discussed, etc. To answer these questions in part we print short descriptions of several of these associations. The largest and most active one of which we have any knowledge is in England, under the name of "The National Association for the Promotion of Social Science." It was established in 1857, under the presidency of Lord Brougham. Subsequently the "Society for Promoting the Amendment of the Law," was united to it, and this title is now added to that given above on the publications of the Association.

The present head-quarters are at No. 1 Adam Street, Adelphi, London, W. C. The library room commands a fine view of the Thames, the bridges, and many of the most prominent buildings of the city. Here may daily be seen the secretaries and other officers, or committees, at work upon their special subjects. I believe it is the experience of many members of our Association that there is no place in London where one can obtain so readily correct information upon any of the social questions of the country, or meet so many persons who are authorities in them. The library, which is a large and growing one, includes the library of the late Jeremy Bentham.

An annual meeting, called the "Annual Congress," is held in some large city of the kingdom, usually in the month of September. The last one was held in Plymouth. The next one will be held in Norwich in October next.

At these meetings, which are attended by members only, papers are read and freely discussed. An attempt is made to secure several papers on each subject, so that various and often conflicting views are presented. In illustration of this we give below a list of the papers read at the last

meeting. These papers are printed under the name of Transactions. Sixteen octavo volumes of some six hundred pages each have already appeared.

Beside this annual meeting, special meetings are held once a week, from November to June, at the office in London, for reading papers and for discussion. These papers and discussions are also printed under the title of "Sessional Proceedings." Six volumes have been issued. We print below a list of the papers read at these weekly meetings from November 1870 to June 1872.

The number of members is nearly one thousand. The financial condition seems to be very satisfactory.

There can be no doubt that this Association has exercised an excellent influence on the public opinion of England. It is freely consulted by the ministers and other administrative officers of the government, and members of Parliament have found from experience that they can here obtain the best information upon the questions coming before them. It has done not a little to inaugurate good and to check bad legislation. The Habitual Criminals Bill, one of very great importance, was prepared almost exclusively by this Association. It took an active part in preparing for the legislation as to married women's property, educational endowments, and the public health.

A very active intercourse and correspondence has for several years existed between this Association and our own, and we are glad of an opportunity to make a public acknowledgment of the great benefit that we have received from it.

For further details as to the government, etc., of the British association, we refer to the several papers printed below. J. M. B.

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Potter, Edmund, F. R. S., M. P.
Powell, F. S., M. P.
Pratt, Hodgson
Pulling, Mr. Serjeant

Ramsden, Sir John, Bart., M. P.
Ramsay, F. W., M. D.
Ratcliff, Colonel
Rathbone, P. H.
Rathbone, William, M. P.
Rawlinson, Sir Christopher
Rawlinson, Robert, C. B., C. E.
Read, C. S., M. P.
Richard, Henry, M. P.
Richson, Rev. Canon
Rigg, Rev. J. H., D. D.
Ripon, Marquis of
Rothschild, Baron Lionel de, M. P.
Rothschild, Baron Mayer de, M. P.
Russell, Earl, K. G.
Rutson, A. O.
Ryalls, C. W., LL. D.
Ryland, Arthur

St. David's, Lord Bishop of
Safford, A. Herbert
Salomons, Sir David, Bart., M. P.
Shaen, Rev. Richard
Shaen, William
Shaftesbury, Earl of, K. G.
Smithies, T. B.
*Spotton, William
Stallard, Dr. J. H.
Steinthal, Rev. S. A.
Stephenson, Rev. Nash
Stevenson, James C., M. P.
Stewart, A. P., M. D.

Taylor, P. A., M. P.
Taylor, R. W. Cooke
Teignmouth, Lord

Teulon, Seymour
Tite, Sir Wm., Bart., F. R. S., M. P.
Tomline, George, M. P.
Torrens, Sir Robert R., M. P.
Tufnell, E. Carlton
Twining, Thomas

Vaughan, James
Verney, Sir Harry, Bart., M. P.

Waddilove, Alfred, D. C. L.
*Walker, John
*Waller, J. F., LL. D.
Ware, Martin
*Warrack, John
Waterhouse, Samuel, M. P.
Watson, Sir Thomas, Bart., M. D., F. R. S.
Webster, Thomas, Q. C., F. R. S.
Weguelin, Thomas, M. P.
West, Henry W., Q. C., M. P.
Westlake, John
Wheelhouse, W. St. John, M. P.
*White, Peter
White, Robert
Whitwill, Mark
Williams, Arthur J.
Williams, Sir F. Martin, Bart., M. P.
Wilmot, Sir J. E. Eardley, Bart.
Wingfield-Baker, R. B., M. P.

Yeats, John, LL. D.

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Cookson, W. Strickland, *Treasurer*

Dunn, E. C.

Edgar, Andrew, LL. D.

Gael, S. H.

Hardwicke, William, M. D.
Hastings, G. Woodyatt, *President of Council*
Hawes, William, *Treasurer*
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Marshall, James
Mouat, F. J., M. D.
Mozley, H. N.

O'Malley, E. L.

Pears, Edwin, *General Secretary*

Ryalls, C. W., LL. D.

Safford, A. Herbert

Teulon, Seymour

Waddilove, Alfred, D. C. L.
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Vice-Presidents.

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Secretaries.

Herbert N. Mozley. | A. Herbert Safford.

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Clarke, E. C.
Harcourt, W. Vernon, Q. C., M. P.
Jencken, H. D.

Leslie, T. E. Cliffe
Levi, Professor Leone
Twiss, Sir Travers, D. C. L.
Waddilove, Alfred, D. C. L.
Wendt, E. E.

Section B. — Municipal Law.

Burkitt, Edward
Clark, Charles
Cookson, W. Strickland
Daniel, W. T. S., Q. C.
Droop, H. R.
Dunn, E. C.
Edgar, Andrew, LL. D.
Gael, S. H.
Hancock, W. Neilson, LL. D.
Hare, Thomas
Harris, Stanley
Hill, Frederic
Hodgkin, John
Hunter, Professor W. A.
Lefevre, G. J. Shaw, M. P.
Napier, Right Hon. Sir Joseph, Bart.
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Reilly, F. S.
Ryalls, C. W., LL. D.
Shaen, William
Tagart, C. F.
Teulon, Seymour
Torrens, Sir Robert R., M. P.
Waddilove, Alfred, D. C. L.
Waley, Jacob
Webster, Thomas, Q. C., F. R. S.
Williams, A. J.
Williams, Joshua, Q. C.
Wilmot, Sir J. E. Eardley, Bart.

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Browne, T. Ll. Murray
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Crofton, Right Hon. Sir Walter, C. B.
Hill, Edwin
Hill, Frederic
Kinnaird, Hon. Arthur, M. P.
Marshall, James
Ratcliff, Colonel
Tallack, William
Wilmot, Sir J. E. Eardley, Bart.

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George Woodyatt Hastings.

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T. Chatfield Clarke. | Joseph Payne.

Secretary.

Rev. Brooke Lambert.

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Black, A. J.
Brodrick, Hon. George C.
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Butter, Henry
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Chadwick, Edwin, C. B.
Cowper-Temple, Right Hon. William, M. P.
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Dixon, George, M. P.
Fitch, J. G.
Freeland, H. W.
Gurney, Mrs. Russell
Hamilton, Rowland
Heywood, James, F. R. S.
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Knox, Mrs. John
Lycett, Sir Francis
MacArthur, Alexander
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Mann, Horace
Mast, T. Christian
Oldfield, Colonel
Norris, Rev. Canon
Pattison, Rev. Mark
Percival, Rev. John
Rigg, Rev. J. H., D. D.

Rogers, Rev. William
Rossiter, William
Smithies, T. B.
Tufnell, E. Carlton
Walrond, Rev. Main S.
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Davenport, E. G.
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Farr, William, M. D., F. R. S.
Godwin, George, F. R. S.
Greenhow, E. Headlam, M. D., F. R. S.
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Lewis, James
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Phené, J. S.
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Ramsey, F. W., M. D.
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Sir John Bowring, LL. D.

Vice-Presidents.

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George Godwin, F. R. S.
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Brassey, Thomas, M. P.
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Gael, S. H.
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Kinnaird, Hon. Arthur, M. P.
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McClelland, James
Newman, Professor F. W.
Newmarch, William, F. R. S.
Newton, A. V.
Noel, Ernest
Pagliardini, Tito
Pennington, Frederick
Pratt, Hodgson
Shaen, Rev. Richard
Teulon, Seymour
Thomas, W. Cave
White, Robert

On the Social Condition of India and the Colonies.

Carpenter, Miss Mary
Chadwick, Edwin, C. B.
Henty, William
Hill, Frederic
Kinnaird, Hon. Arthur, M. P.
Massey, Right Hon. W. M., M. P.
Mouat, Frederick J., M. D.
Pratt, Hodgson
Rawlinson, Sir Christopher
Rawlinson, Robert, C. B., C. E.
Torrens, Sir Robert R., M. P.
Wilson, Edward

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Marquis D'Avila, Ministre d'Etat de S. M. Très Fidèle, Lisbon.
Monsieur Michel Chevalier, Avenue de l'Impératrice, No. 27, Paris.
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Monsieur A. Visschers, Conseiller au Conseil des Mines, Rue Royale, No. 106, Bruxelles.
Count Zamoyski, Cracow, Russia.

HONORARY MEMBERS.

Mrs. John Knox, London.
Miss Mary Carpenter, Bristol.

OBJECTS OF THE ASSOCIATION.

The Association is established to aid the development of Social Science, to spread a knowledge of the principles of jurisprudence, and to guide the public mind to the best practical means of promoting amendment of the law, the advancement of education, the prevention and repression of crime, the reformation of criminals, the adoption of sanitary regulations, and the diffusion of sound principles on questions of economy and trade. The Association aims to bring together the various societies and individuals who are engaged or interested in furthering these objects; and, without trenching upon independent exertions, seeks to elicit by discussion the real elements of truth, to clear up doubts, to harmonize discordant opinions, and to afford a common ground for the interchange of trustworthy information on the great social problems of the day.

CONSTITUTION OF THE ASSOCIATION.

The Association has a president, vice-presidents, president of council, general secretary, treasurer, and foreign secretary. The government of the Association is intrusted to a council and an executive committee, constituted under Laws XI. and XII.

The Association is divided into four departments: Jurisprudence and Amendment of the Law, Education, Health, and Economy and Trade. Each department has a president, vice-presidents, secretaries, and standing committee.

SUBSCRIPTION AND MEMBERSHIP.

Any person becomes a member of the Association by subscribing one guinea annually, or ten guineas as a life payment. Every member is entitled to attend the annual meetings of the Association, and to receive a copy of its "Transactions."

Any member subscribing under Law XX. an additional sum of one guinea annually, is also entitled to attend the special meetings of the departments, held in London during the session, to receive a copy of the "Sessional Proceedings," which contains the publications connected therewith, and to make use of the library at the office of the Association.

Any public body, such as a learned society, chamber of commerce, a mechanics' institute, etc., becomes a corporate member by paying an annual subscription of two guineas. Every corporate member receives (without further payment) a copy of the "Transactions," and may nominate two representatives to attend the meetings of the Association.

LAWS OF THE ASSOCIATION.

Object and Organization.

I. The object of the Association is to aid the development of Social Science.

II. The Association comprises four departments: the first, for Jurisprudence and Amendment of the Law; the second, for Education; the third, for Health; and the fourth, for Economy and Trade.

III. The Association consists of ordinary members, corporate members, foreign corresponding members, and associates.

Terms of Membership.

IV. Any person who pays an annual subscription of one guinea, or a life subscription of ten guineas, to the funds of the Association, is an ordinary member.

V. Any public body paying to the funds of the Association an annual subscription of two guineas, is a corporate member.

VI. Foreign corresponding members are elected by the council the number of such members being limited by by-law. Foreign corresponding members are exempt from payment.

VII. Any person who pays ten shillings to the funds of the Association is an associate to the annual meeting for which such payment is made.

VIII. The annual subscription is payable in advance on the first day of August in each year.

Officers and Government.

IX. The Association has a president, vice-presidents, presidents and vice-presidents of departments, a president of council, a general secretary, a treasurer or treasurers, foreign secretary, and secretaries of departments, who are all annually elected, and hold office until the appointments of the following year are made.

X. The Association is governed by a council, and by an executive committee, subject to the directions of the council.

XI. The council consists of the following persons: —

1. The president, vice-presidents, presidents and vice-presidents of departments, general secretary, treasurers, foreign secretary, and secretaries of departments.

2. Every member who has filled the office of president or president of a department, or who has filled for three years the office of general secretary, treasurer, foreign secretary, or secretary of department.

3. Every member who, up to the 31st of July, 1862, had served for three years as a member of council.

4. Every member of either house of Parliament who is also a member of the Association.

5. Such members, not exceeding fifteen in each department, as shall be annually nominated by the standing committee of each department.

6. Such representatives of any branch or local association, not exceeding two, as may be nominated from time to time by such branch or local association.

7. Such representative of any society existing in connection with the Association as may be nominated from time to time by such society.

8. Such representative of any learned society, or chamber of commerce, being a corporate member of the Association, as may be from time to time nominated by such corporate member.

9. Such members as may be nominated by the Association, on the recommendation of the council, for special services to the Association.

10. Such members, not exceeding twelve, as shall be annually nominated by the council, on the recommendation of the executive committee.

XII. The executive committee consists of the president of council, the general secretary, the treasurers, the foreign secretary, one secretary from each department nominated by the council, and twelve members elected annually by the council.

XIII. The council meets at the time of the annual meeting of the Association, at three other times during the year, and also when specially summoned by the executive committee.

Annual and other Meetings.

XIV. An annual meeting for the reception of the address of the president, and of the reports of the council and standing committees, and for the reading and discussion of papers, is held in such place, and at such time, as may be appointed by the council.

XV. A business meeting of the members is held in each year at the office of the Association, at such time as may be appointed by the council, to receive a report from the council on the financial and other business of the Association, to elect the officers and standing committees for the ensuing year, and to enact such laws as may from time to time be required.

XVI. The council has the power of summoning a general meeting of members, on fourteen days' notice, for such purpose and at such time and place as it thinks fit.

XVII. The general secretary, on receiving a requisition signed by twenty members, summons, at such time, being within thirty days, and at such place as he thinks fit, a general meeting of the members, for the purpose stated in such requisition.

XVIII. Special meetings are held in London, under the regulation of the executive committee, for reading papers, and for discussion on specific questions.

Rights and Privileges of Members.

XIX. Every ordinary member has the right of attending and voting at the annual meeting, the business meeting of members, and all other general meetings of the Association, of being eligible to any of its offices, and of receiving gratuitously its "Transactions."

XX. Any ordinary member, whose name has been submitted for that purpose to, and approved by, the executive committee, and who pays an additional annual subscription of one guinea or an additional life subscription of ten guineas, has the privileges of attending and voting at the special meetings mentioned in Law XVIII., of receiving all publications issued in connection with such meetings, and of the using of the library at the office of the Association.

XXI. Every corporate member receives gratuitously a copy of the "Transactions," and may nominate two representatives to attend the meetings of the Association.

XXII. Every foreign corresponding member has all the rights of an ordinary member, except that of eligibility to the council.

XXIII. Every associate has the right of attending and voting at the annual meeting held by Law XIV.

Standing and other Committees.

XXIV. A standing committee for each department is annually elected at the business meeting of members. A standing committee has the power of appointing sub-committees.

XXV. Special committees are appointed by the Association or by the council, to consider and report on specific subjects of reference.

XXVI. The president of council is, *ex officio*, a member of every standing committee, and the general secretary and the foreign secretary are, *ex officio*, members of every committee and sub-committee. The secretary of each department is, *ex officio*, a member of every committee and sub-committee of such department.

Constitution and Conduct of Meetings.

XXVII. For general meetings of the Association twenty members, for meetings of the council seven members, for those of the executive committee five members, and for those of other committees and sub-committees three members, form a quorum.

XXVIII. At all the aforesaid meetings the chairman has a vote; if the votes be equal he has also a casting vote.

XXIX. No original motion, of which previous notice has not been given, is put from the chair at any meeting of the Association held under Laws XIV., XV., or XVI.

Finances.

XXX. The funds of the Association are kept in its name at a bank. All sums received on account of the Association are paid into the bank; and all checks on the bank are drawn by order of the council or of the executive committee, signed by the treasurer and countersigned by the general secretary.

XXXI. At the business meeting of members two auditors, not being members of the executive committee, are appointed on motion, by show of hands, to audit the accounts of the ensuing year.

XXXII. The accounts of the Association are made up to the end of June in each year; and, after being duly audited, are appended to the annual report of the council.

Vacancies in Offices.

XXXIII. The council fills up any vacancy occurring during the year in any of the offices named in Law IX.

ANNUAL CONGRESS.

The annual congress of the Association in 1873 will be held at Norwich.

TRANSACTIONS.

The "Transactions" of the Association are published by Messrs. Longmans & Co., Paternoster Row, price 12*s.*, but members desirous of completing their sets of volumes may obtain them at the office of the Associanion, at the reduced price of 8*s.* 6*d.* each volume, excepting those of 1857, 1858, and 1859. The journal, "Sessional Proceedings," issued at short intervals during the session, may be obtained at the office of the Association, or of P. S. King, Bridge Street, Westminster, price 3*d.*

A LIST OF PAPERS READ AT THE SESSIONAL EVENING MEETINGS.

November 20*th*, 1871.—The Present Position of the Coöperative Movement. By Mr. Thomas Hughes, Q. C., M. P.

November 27*th*.—Discussion on the Endowed Schools Bill, Part II., opened by Mr. J. G. Fitch.

December 4*th*.—On the Means by an Improved Organization of Accelerating the Business of Parliament. By Mr. Frederic Hill.

December 11*th*.—Adjourned Discussion on the Coöperative Movement. By Mr. Thomas Hughes, Q. C., M. P.

December 18*th*.—Suggestions for Facilitating the Transfer and disposition of Land. By Professor Jacob Waley.

January 15*th*, 1872.—Appellate Jurisdiction. By Mr. H. N. Mozley.

January 22*d*.—Coming Sanitary Legislation. Discussion opened by Mr. G. W. Hastings.

January 29th. — Upon the Principle which should guide in Legislation as to Property. By Mr. C. J. Grece.

February 5th. — Women's Suffrage. By Mr. Arthur Arnold.

February 12th. — On the Introduction of Metric Weights and Measures, and a Decimal System of Coinage, and on the advantage of having them taught in the Elementary Schools in the United Kingdom. By Professor Leone Levi.

February 19th. — Aspects and Prospects of Technical Education. By Dr. Yeats.

February 26th. — Discussion on the Traffic in Stolen Property, opened by Mr. A. H. Safford.

March 18th. — Discussion on the Married Women's Property Amendment Act, opened by Mr. Edwin Pears.

March 25th. — On the Haunts of Typhoid and other Fevers in England and Wales. By Dr. A. Haviland.

April 15th. — On the Bill to Amend the Law of Evidence. By Mr. Joseph Brown, Q. C.

April 22d. — A Proposal for solving the great Educational Difficulties, namely, Compulsion, Payments, and Religion in Elementary Schools. By Dr. Stallard.

April 29th. — Adjourned Discussion of the Bill to Amend the Law of Evidence.

May 6th. — On the Civil Responsibility of Employers to those Injured in their Employ. By Mr. P. H. Holland.

May 13th. — Theories of the Propagation of Disease, side by side with existing Facts. By Dr. Druitt.

May 27th. — On Local Medical Appointments, and on the need of the Separation of Private Practice from the Public Medical Service. By Mr. Edwin Chadwick, C. B.

June 3d. — On the Importance and Necessity of Improving our Ordinary Method of School Instruction. By Mr. Joseph Payne, F. C. P.

June 10th. — On Mixed Education. By Miss Emma Wallington.

These papers and the discussions upon them have been printed, and circulated among the members. A petition was presented to the House of Commons by the council in favor of the appointment of a public prosecutor, as a means conducive to the diminution of crime and the conviction of offenders. The Jurisprudence Committee at the same time expressed their opinion that as the worst effects of the want of a system of public prosecution were seen in the metropolitan police district, it would be expedient, in the first instance, to limit the operation of the measure to that area. The council are glad to learn that this suggestion was generally approved, and they congratulate the Association that though the measure has been dropped for the present

session, it will probably be reintroduced next session with the modification mentioned, and will be a Government measure. "Book the First." of a draft outline of an international code has been prepared by Mr. David Dudley Field, of New York. The contents of this volume treat of the relations of nations and of their members in time of peace. It will be recollected that at the Manchester Congress, in 1866, a committee was appointed, consisting of jurists of different nations, to prepare and report on the subject, with a view of having a complete code formed after careful revision and amendment, and then presented to the different governments, in the hope of receiving their sanction. The present is an installment in that direction. The subject of the law of evidence has been under the consideration of the standing committee of the municipal law section. A bill has been drafted by the council, and will be considered at the Plymouth Congress. The bill on the jury laws, brought into the House of Commons by the Government, was considered by the special committee on trial by jury, and their report was communicated to the select committee of the House. The bill has since been withdrawn. An International Prison Congress was held in London in July. The council were desirous of giving every aid in their power to make the Congress a successful and useful meeting, and they resolved to coöperate with Dr. Wines (commissioner from the United States to organize the Congress) in every practical way in prosecuting the objects of his mission. The Congress met with eminent success. The council again memorialized the Government in favor of reintroducing the Endowed Schools Bill, Part II. The bill would provide for efficient teaching by thoroughly qualified persons, and prevent the growth of abuses arising mainly for want of inspection, supervision, and examination. Two deputations of the joint committees of this Association and the British Medical Association on state medicine and the organization and administration of the sanitary laws, waited upon Mr. Stansfeld, at the local government board, Whitehall, to urge upon him the expediency of introducing certain provisions into the measure brought before Parliament on the sanitary law. Memorials were on each occasion presented. The deputation urged the necessity of the consolidation of the existing law, a large extension of area, an amendment in local authorities, and the establishment of a registration of sickness. Mr. Stansfeld, in reply, promised the suggestions offered should have his most careful consideration. The council also adopted a series of resolutions on the subject, which were printed and circulated. A communication was made by the standing committee of the health department to the president of the local government board on the subject of the steps desirable to be taken in view of the possible outbreak of cholera. A letter, in reply, stated that the president had had the suggestions under his attentive consideration; that he proposed the adoption of some of them, and that he would willingly give his best attention to any further suggestions which the re-

sult of the discussions of the Association might possibly induce them to make. A memorial on the subject of the regulation of mines was presented to her Majesty's Secretary of State for the Home Department. Under the Mines Inspection Act many important precautions introduced are still neglected, whereby a large proportion of the lives lost by mine accidents are caused, as also a far larger number of severe injuries not fatal. The pecuniary loss and the misery occasioned by such very numerous deaths and injuries are so great and so wide-spread as to be of important national concern. The council were of opinion that such misery could be much alleviated and greatly diminished. They suggested that compensation should be secured to those injured, or to the families of those killed, in all cases of accident *essentially*, though not exclusively, caused by the neglect of such precautions. The council subsequently petitioned the House of Commons in favor of the Mines Regulation Bill, which provided to some extent for the evils complained of. They are glad to report that the legislature has concurred in several of the suggestions made. On the 6th of August, M. Henry Dunant, the originator of the work of the "Red Cross," and of the convention signed at Geneva (1864), for ameliorating the condition of the wounded, read here a paper, by way of "A Proposal for Introducing Uniformity into the Condition of Prisoners of War." The great success which attended M. Dunant's previous efforts made the present proposal one of peculiar interest. In the nine articles of the convention, signed at Geneva, in 1864, and acceded to by the British Government in February, 1865, the leading European States virtually agreed upon a number of articles of an International Code. It is now proposed that steps shall be taken towards framing similar propositions for introducing uniformity into the treatment of prisoners of war. At the conclusion of the paper, a resolution was passed, recommending the appointment of a joint committee of the Association and of the National Society for aiding the Sick and Wounded in Time of War, for consideration, and to report thereon. The council has had this resolution before it, and has named a committee, including in its numbers the International Law Section. The special committee appointed to consider the present licensing laws had referred to them a resolution passed at the Leeds Congress, recommending the council to continue their labors to aid in securing from Parliament a comprehensive measure dealing with the sale of intoxicating liquors. The committee, in deliberating on the subject, had before them the bill of the Government. A series of resolutions were drawn up and approved by the council, and ordered to be presented to the Secretary of State for the Home Department, who had charge of the licensing bill. In November last, a central conference of chairmen and vice-chairmen of boards of guardians was held here, under the auspices of the Association, with a view to bring together those who were interested in poor law administration, to compare experience, and to hear suggestions. Somewhat sim-

ilar conferences have been held in other parts of England representing particular districts. These conferences having met with general approval, it was suggested that a central conference should be held in London, to which representatives should be invited from various portions of the kingdom, and that this could be best done through the agency of this Association. The conference was a very large and influential gathering of persons interested in poor law administration, and was presided over by the Right Hon. the Earl of Lichfield. The council have much satisfaction in reporting that the operations of the special committee on labor and capital, during the last year, have met with considerable success. In order to assist in bringing to a termination the extensive strike at that time among the engineers at Newcastle-upon-Tyne, Mr. Morrison, M. P., and the general secretary, Mr. Pears, went to that town in the early part of the summer, and were afterwards followed by Mr. Mundella, M. P., accompanied by Mr. Applegarth; and there can be no doubt that the friendly interviews which these gentlemen had with both classes in dispute, and the compromise recommended by Mr. Mundella, and which, in effect, was adopted, had a material influence in bringing the strike to an end; a strike which, besides the bad feelings attending it, was, at a low estimate, causing a weekly loss of £15,000. Subsequently to this, several excellent public addresses on the subject of labor and capital were delivered in different parts of the country, by Mr. Thomas Brassey, M. P., another member of the committee; and in several places, through the committee's exertions, boards of conciliation were formed and strikes averted. Still more recently, the committee have done good service in relation to the builders' lock-out and strike in London. Some resolutions by them, advising a friendly conference between the masters and workmen, and, if necessary, reference to arbitration, having been issued, the masters at once expressed their willingness to adopt them; and in a short time the masons, also, in effect, gave their consent; the speedy result being an abandonment of the strike, so far as the masons were concerned, and complete cessation of the lock-out. The council have had under their consideration a resolution passed at a conference of poor law guardians at Guildford, recommending them to take steps to impress on the Government the desirability of making a full investigation into the character and management of friendly societies and village benefit clubs, with a view to the establishment throughout the country of providential societies on sound principles. The council arranged that at the Plymouth Congress the subject should be brought forward, and also be considered in committee by the Economy and Trade Department. The council have had urged upon them the propriety of interceding in some way with the Government with a view to the suppression of the existing slave trade in Central Africa. The council have referred the subject to the standing committee on India and the Colonies, for consideration, with full power to take what steps they may deem requisite to bring the mat-

ter under the notice of the Government, with a view to put an end to the traffic. In addition to the subjects which have been mentioned, the consideration of several others have occupied the attention of the various committees during the session.

A LIST OF PAPERS READ AT THE ANNUAL GENERAL MEETING HELD IN PLYMOUTH AND DEVONPORT IN SEPTEMBER, 1872, AND PRINTED IN THE VOLUME OF TRANSACTIONS FOR 1872.

Opening Address. The Right Hon. Lord Napier and Ettrick, K. T

Address on Jurisprudence and Amendment of the Law. Sir John Duke Coleridge, Q. C., M. P.

Address on Education. John Woodyatt Hastings.

Address on Health. Dr. Ackland, F. R. S., D. C. L.

Address on Economy and Trade. Sir John Bowring, LL. D.

I.—Jurisprudence and Amendment of the Law.

INTERNATIONAL AND MUNICIPAL LAW SECTION.

Evidence of Accused Persons.

Is it desirable that defendants in criminal proceedings should be competent or compellable to give evidence in their own behalf, or on behalf of, or against others jointly indicted? And is it desirable that the husband or wife of an indicted prisoner, should be competent or compellable to give evidence in favor of, or against the accused, or any person jointly indicted? Alfred Waddilove, D. C. L. T. C. Brian. Discussion.

Court of International Arbitration.

Can a court of international arbitration be formed with a view to avoid war, and if so, in what way? Rev. Dr. Stock. M. Henry Dunant. Discussion.

Liability for Negligence.

Ought railway companies and other carriers of passengers to be liable to an unlimited extent for the acts of their servants? Joseph Brown, Q. C. Discussion.

The Colonial Question.

The Colonial Question; its present position and the policy of the future. Edward Jenkins, Barrister-at-Law.

Permanent Union of the Empire Desirable; and how Maintainable. Francis P. Labilliere, Barrister-at-Law.

On the Policy of Extending the Empire. Wm. Westgarth.

On the Transfer of Land. Sir Robt. R. Torrens, M. P. Discussion.

Copyhold Law Reform. H. W. Freeland.

Miscellaneous.

On the Second Report of the Judicature Commission. W. T. S. Daniel, Q. C.

On the Reform of the Ecclesiastical Courts of England. Rev. Daniel Ace, D. D.

On the International Laws of Joint Stock Companies, and the Necessity of Establishing an International Code. H. D. Jencken.

Repression of Crime Section.

Address on Repression of Crime. J. H. Kennaway, M. P.

Cumulative Punishment.

Is it desirable to adopt the principle of Cumulative Punishment? T. B. Le Baker. Discussion.

Industrial Day Schools.

Is it desirable that Industrial Day Schools should be Established? Miss Mary Carpenter. Discussion.

Primary Aim of Punishment.

What ought to be the Primary Aim of Punishment,—to deter, or to reform? Mr. Serjeant Cox. Discussion.

Treatment of Prisoners before Trial.

The Prison Cells of London. T. Ll. Murray Browne, Barrister-at-Law.

On the Treatment of Prisoners before Trial. R. D. Tracy Gould, Barrister-at-Law.

On the Diminution of the Frequency of Punishment, with the view of increasing its deterrent Effect. Rev. C. M. E. Collins.

Mendicity, Repression, and Charity Organization. Hamilton Whiteford.

Miscellaneous.

The Past and Future of Dealing with Crime. T. B. Ll. Baker.

Trade Prisons. E. Vivian.

Substitution of Compulsory Labor for Imprisonment in the Case of Female Offenders. Mrs. Meredith.

The Devon and Exeter Reformatories and Industrial Schools. A. H. A. Hamilton.

On the best Means of suppressing the low, cheap Literature of the Day. R. Reynolds Fox.

Industrial Labor in Establishments for Criminals in India. Captain Bradenell Rogers.

II. — Education.

Primary Instruction.

Why are the Results of our Primary Instruction so unsatisfactory? Joseph Paine (Representative from the College of Preceptors). Rev. Brooke Lambert. Discussion.

Training of Teachers.

How far does recent Legislation render new Regulations necessary for the Training of Teachers in Elementary Schools? T. Chatfield Clark. Discussion.

Secondary Education of Girls.

What Public Provision ought to be made for the Secondary Education of Girls? Miss Sheriff. Discussion.

Scientific Education.

On the Present Position of Science in Relation to the British Government. George Gore, F. R. S.

On Scientific Education in Middle-class Schools. C. Spence Bates, F. R. S.

Education on a Scientific Basis. W. Cave Thomas.

On the Right Curriculum of National Schools. Professor Newman.

On the National High Schools of Denmark. Miss Hierta.

Miscellaneous.

Punishments in relation to the Education of Children. W. F. Collier.

On the Scheme under Consideration for Establishing Examinations of Public Schools, to be conducted by Members of the University. Rev. E. C. Hawkins.

On the Education Act of 1870, and the Code. Rowland Hamilton.

The Object of Female Education. Mrs. Amelia Lewis.

On the Education and Employment of the Blind. Miss. M. A. Paull.

The Training System in Use in the Royal Navy. William Beer.

III. — Health.

Sewage Poisoning.

What Steps should be taken to guard against Sewage Poisoning? P. H. Holland. I. W. Stevens, M. R. C. S. Discussion.

Improvement of Sanitary Laws.

What are the Steps on which a Comprehensive Measure for the Improvement of the Sanitary Laws should be based? W. H. Michael. Discussion.

Pollution of Rivers.

What Means can be adopted to prevent the Pollution of Rivers? William Hope, V. C.

The Prevention of Disease. Thomas Baker.

The Public Health Act, 1872, with Special Reference to the three Towns of Plymouth, Devonport, and Stonehouse. Christopher Bulteel, F. R. C. S.

Miscellaneous.

Report of the Joint Committee on the Amendment of the Sanitary Laws.

The Policy of Restrictive Measures on Quarantine as applied to Cholera and Cattle Plague. George Foggs.

The Eccentricity of Recent Sanitary Legislation. Wm. Hope, V. C.

The Cleansing of Sewers and the Purification of Sewage. General Scott.

On Sewage Filtration. Robert Symington.

A New Mode of Hospital Construction. Henry Greenway M. R. C. S.

On the most Effectual Means of Preserving Purity of Atmosphere. W. I. Cooper.

Ventilation and Health in Ships. Dr. W. S. Pearse.

The Mortality of Infants. Thomas Littleton, M. B. Lond.

On Vital Statistics. Edward Vivian.

A Medical Midnight Mission in the Streets of Birmingham. William Acton.

IV. — Economy and Trade.

Direct or Indirect Taxation.

How far ought Taxation to be Direct or Indirect? E. C. Macqueen, John Noble, Thomas Briggs. Discussion.

Agricultural Labor.

How may the Condition of the Agricultural Laborer be Improved? Sir Baldwin Leighton, Bart., William Morris, E. L. O'Malley. Discussion.

Local Taxation.

What Principles ought to Regulate Local Taxation and Administration? John Scott, Captain Craigie, W. D. Henderson, Owen Williams. Discussion.

Arbitration in the Settlement of National Disputes, viewed in relation to the Events and Results of the late War. Thomas Beggs.

Retail Trades and Coöperative Stores. Jeremiah Head, F. S. S.

The Abuse of Industrial Partnerships. G. I. Holyoake.

Free Trade in Land. Arthur Arnold.

Remarks upon the Mineral Wealth of Cornwall. J. H. Collins, F. G. S.

Existing Impediments to the Circulation of Labor, and Suggestions for their Removal. Alsager H. Hill.

On the Present Condition of the Licensing Laws in the United Kingdom and their Deficiencies. Rev. S. A. Steinthal.

Social Progress in India; or, India as a Field for the Study of Social Science. Iltudus T. Prichard.

Insurance for Laborers. Rev. J. S. Stratton.

Miscellaneous.

A Parliament of Nations. His Excellency Senor Don Arturo de Marcoartu.

Work of an International Peace Society, and Woman's Work in it. Mrs. E. M. King.

The Needle Woman's Case. R. W. Cooke Taylor.

Factories and Work Shops Inspections, with special Reference to Brick and Tile Yards. George Smith, F. S. A.

The Improved Utilization of the Land. Francis Fuller.

The Elberfield Poor Law System. I. N. Bennett.

Rating of the Tithe Rentcharge. Rev. R. Hobhouse.

On a New Method of Constructing Ships, with a Self-Regulating as to their Specific Gravity, so as to enable them to secure the Advantages enjoyed by Fish. Dr. Thomas Littleton.

On Coöperation. William Nuttall.

The Present Condition of Metallic Currency, and the Effect which a limited supply thereof has upon the Trade and Industry of the Country. J. R. Coningsby.

On the Necessity of Protecting the Pacific Populations of Invaded Countries in Continental Wars. By Professor Katchenowsky.

THE PHILADELPHIA SOCIAL SCIENCE ASSOCIATION. — We are indebted to Mr. J. G. Rosengarten, the secretary of this Association, for the following description of its formation and subsequent transactions.

The Philadelphia Social Science Association was organized at a meeting held November 17, 1869, as a local branch of the American Association for the advancement of Social Science. During that winter, a series of lectures on Social Science was delivered at the hall of the University by Professor McIlvaine of Princeton, under the auspices of the Association. In the autumn of 1870, the meeting of the general association was held at the same place, and with very great success; the papers read there were subsequently printed in the Transactions of the Association. During the winter of 1870–71, the following papers

were read at public meetings held by the Philadelphia Association, namely, —

1. Compulsory Education, by Lorin Blodget.
2. Arbitration as a Remedy for Strikes, by Echley B. Coxe.
3. The Revised Statutes of Pennsylvania, by R. C. McMurtrie.
4. Local Taxation, by Thomas Cochran.
5. Infant Mortality, by Dr. J. S. Parry.

These papers were all printed in the "Penn Monthly Magazine," and reprinted, together with the discussion that followed the reading of the papers in separate pamphlet form, for distribution among the members of the Association, the newspapers, and through the general association at Boston, to such of its members as were interested in the questions under discussion.

In the winter of 1871–72, the same plan was followed, and the following series of papers read and printed, namely, —

1. Statute Law and Common Law, by E. Spencer Miller.
2. Apprenticeship, by James S. Whitney.
3. The Proposed Amendments to the Constitution of Pennsylvania, by Francis Jordan.
4. Vaccination, by Dr. J. S. Parry.
5. The Census, by Lorin Blodget.

In the winter of 1872–73, the following papers were published by the Association, in pursuance of the plan so successfully set on foot and pursued for the preceding seasons of active operations, namely, —

1. The Tax System of Pennsylvania, by Cyrus Elder.
2. The Work of the Constitutional Convention of Pennsylvania, by A. Sydney Biddle.
3. What shall Philadelphia do with its Paupers, by Dr. Isaac Ray.
4. Proportional Representation, by S. Dana Horton, and a supplement to it.
5. The Election of Party Candidates under the Free List, by the same.

In addition to the instruction conveyed by these papers when read and discussed at the meetings of the Association, full abstracts of them were printed in all the newspapers of Philadelphia, and thus the public at large were greatly benefited by the active operations of the Association. Many very important matters of State and municipal legislation were so treated that good legislation was assisted and even secured, while much bad and mischievous law-making was arrested, and in one important instance, absolutely prevented. The Association was also actively engaged in successful coöperation with the national association in its energetic support of civil service reform, reform of immigration, minority representation, and numerous other questions of national interest and importance, where the initiative was due largely to the general association, and the local associations lent very useful influence to forward them.

The total membership of the Association has not exceeded one hundred and eighty, representing the various professions and many of the leading industries of Philadelphia; even this small number has been reduced by death, resignation, and removal of twenty or more persons, so that the burden both of financial and other requirements must fall heavily on a very small number of members. The annual subscription of five dollars has barely sufficed to pay the current expenses of the Philadelphia Association, and its proportion of the amount spent by the national association had either to be raised by private subscriptions or to be left unpaid. The national association has, however, frequently expressed its approval of the activity exhibited in spite of so many discouragements and such a want of support, — by the Philadelphia Association, and the utmost harmony and the most generous coöperation have marked the relations of the two bodies. The plan of organization of the parent body has been followed by the Philadelphia branch with great fidelity, and the example thus set, of securing local coöperation in the cause of Social Science, will, it is hoped, be pursued with equal industry and success in the other cities of the Union, where similar local branches have been or may be set on foot. The subjoined list of officers for the years 1869, 1870, 1871, 1872, and 1873, shows how steadily the same persons have worked together to secure a successful result to the plan of a Social Science Association for America set on foot in 1865.

OFFICERS FOR 1869, 1870, 1871, 1872, 1873, OF THE PHILADELPHIA SOCIAL SCIENCE ASSOCIATION.

President, — Hon. Wm. Strong.

Executive Committee, — Department of Public Health, Dr. Isaac Ray, Dr. Ruschenberger, Dr. J. S. Parry, Dr. E. A. Gorman, Blomfield H. Moore. Department of Education, Dr. Charles J. Stillé, Dr. D. R. Goodwin, Rich. S. Smith, James L. Claghorn, Lorin Blodget, W. V. McKean. Department of Economy, Trade, and Finance, Joseph Wharton, John Welsh, C. H. Clark, H. C. Lea, Wm. A. Ingham, E. A. Rollins. Department of Mining and Manufactures, Eckley B. Coxe, T. Guilford Smith, Joseph D. Potts, W. A. Ingham, J. S. Whitney, T. S. Emery, E. A. Rollins. Department of Jurisprudence and the Amendment of Laws, M. Russell Thayer, E. Spencer Miller, R. L. Ashhurst, Saml. Dickson, Walter H. Lowrie, W. Heyward Drayton, J. G. Rosengarten, James R. Ludlow.

Secretary, — J. G. Rosengarten.

Treasurer, — C. H. Clark.

THE ALBANY INSTITUTE. — The Albany Institute at Albany, N. Y., is a scientific association founded, though under a different name, in 1791. Robert R. Livingston was the first president, and Stephen Van Rensselaer president of the reörganization in 1823. The office is now

held by Hon. J. V. L. Pruyn. It has distributed its members into three departments, Physical Science and the Arts, Natural History, History and Literature. The volumes of Transactions issued since 1791 by the three societies in succession, amount to twelve.

In the hope of securing some prominence for the objects of the American Social Science Association, the Institute, last year, voted that a fourth department be formed with the title of Political and Social Science. The result of this definite enlargement of the sphere of the Institute cannot be anticipated. A paper was read this year at a regular meeting by Mr. H. A. Homes, on the progress of the science during the last few years, followed by a summary of H. Spencer's twelve articles on the difficulties of the study of Sociology.

H. A. H.

CONSTITUTION OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION.

ADOPTED IN BOSTON, OCTOBER 4, 1865; AMENDED OCTOBER 13, 1869, AND DECEMBER 7, 1872.

ARTICLE I. This Society shall be called the American Social Science Association.

II. It shall include four departments: the first, of Education; the second, of Health; the third, of Finance; the fourth, of Jurisprudence.

III. It shall be administered by a president, *as many vice-presidents as may be required to conduct the affairs of local sections*, a treasurer and secretary; an executive committee, charged with general supervision; four department committees, established by the executive committee, charged with the supervision of their respective departments; and such local committees as may be established by the executive committee at different points to serve as branch associations.

The executive committee shall consist of the president, *vice-presidents*, treasurer, and secretary, the chairman of each of the departments, and *twenty or more* directors, with power to fill vacancies *and to make their own by-laws.*

The president, *vice-presidents*, treasurer, secretary, and directors, shall be chosen annually on the second Wednesday of October, and shall hold office till their successors are chosen. The president, *or in his absence a vice-president*, shall be chairman of the executive committee. The chairmen of the department and local committees shall be chosen at the pleasure of their respective committees.

IV. Any person may become a member by paying five dollars, and may continue a member by paying anually such further sum, not exceeding ten dollars, as shall be fixed at the annual meeting. Any person may become a life-member, exempt from assessments, on payment of one hundred dollars. Honorary and corresponding members may be elected, and exempted from the payment of assessments.

V. The executive committee shall have sole power to call and conduct general meetings, and to publish the transactions and other documents of the Association. The department committees shall have power to call and conduct department meetings.

VI. No amendments of this Constitution shall be made, except at an annual meeting, and with public notice of the proposed amendments.

LIST OF OFFICERS AND MEMBERS OF DEPARTMENTS.

President. — George William Curtis, New York.

Vice-Presidents. — Josiah Quincy, Boston; C. R. Agnew, New York; H. C. Lea, Philadelphia; Theo. D. Woolsey, New Haven; J. W. Hoyt, Madison, Wis.; George Davidson, D. C. Gilman, California; W. J. Harris, St. Louis.

Treasurer, — J. S. Blatchford, Boston.

Secretary, — ——, ——.

Directors, — L. Agassiz, B. Peirce, Samuel Eliot, Emory Washburn, E. L. Pierce, Chas. W. Eliot, S. G. Howe, E. H. Clarke, T. C. Amory, C. C. Perkins, Hamilton A. Hill, F. B. Sanborn, R. M. Mason, J. M. Barnard, Mrs. John E. Lodge, Mrs. Mary E. Parkman, Mrs. C. H. Dall, Mrs. Henry Whitman, Miss A. W. May, Miss Alice S. Hooper.

Secretary of Executive Committee, — Miss A. W. May.

DEPARTMENT OF EDUCATION.

C. W. Eliot, LL. D. and President of Harvard College, *Chairman.*

Miss A. W. May, *Secretary.*

Prof. Benj. Pierce, Prof. Child, Prof. Agassiz, Prof. J. M. Peirce, Cambridge; John D. Philbrick, Chas. C. Perkins, Mrs. S. Parkman, Miss A. W. May, Ephraim Hunt, Jas. M. Barnard, Justin Winsor, Joseph White, Boston; Prof. Runkle, Prof. Ed. Atkinson, Prof. G. H. Howison, Institute of Technology, Boston; J. Eliot Cabot, Brookline, Mass.; W. C. Collar, Roxbury, Mass.; D. B. Hagar, Salem, Mass.; Miss A. E. Johnson, Framingham, Mass.; Elbridge Smith, Harrison Square, Mass.; C. O. Thompson, Worcester, Mass.; H. F. Harrington, New Bedford, Mass.; A. G. Boyden, Bridgewater, Mass.

DEPARTMENT OF HEALTH.

Ed. Wigglesworth, Jr., M. D., Boston, *Chairman.*

D. F. Lincoln, M. D., Boston, *Secretary.*

Jas. M. Barnard, J. S. Blatchford, C. J. Blake, M. D., Edward Cowles, M. D., Norton Folsom, M. D., T. Sterry Hunt, LL. D., B. H. Fitz, M. D., W. W. Moreland, M. D., O. F. Wadsworth, M. D., Arthur H. Nichols, M. D., Joseph Willard, H. I. Bowditch, M. D., Prof. G. F. H. Markoe, T. W. Fisher, M. D., J. J. Putnam, M. D., Boston.

ASSOCIATE MEMBERS.

Dr. Bonney, Boston; Dr. C. R. Agnew, New York; Prof. Francis Bacon, New Haven, Ct.; Dr. I. Foster Jenkins, Yonkers, N. Y.

DEPARTMENT OF FINANCE.

Not organized.

DEPARTMENT OF JURISPRUDENCE.

Hon. John Wells, Boston, *Chairman.*

J. B. Thayer, Boston, *Secretary.*

Emory Washburn, LL. D., Prof. Torrey, LL. D., Cambridge, Mass.; F. V. Balch, Geo. Putnam, Jr., Moorfield Storey, D. E. Ware, O. W. Holmes, Jr., W. A. Field, Boston.

JOURNAL

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CONTAINING THE

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NUMBER VI.

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1874.

EDITED BY

F. B. SANBORN,

SECRETARY OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION.

PREFACE.

THE JOURNAL OF SOCIAL SCIENCE has been hitherto an occasional publication, appearing at irregular intervals, but usually once a year. During the years 1872–3, only one number was published; in 1874, two, and perhaps three, will be issued. It is hoped hereafter to publish it semi-annually, and perhaps quarterly, so as to furnish in each year a volume of at least 500 pages to the members of the Association, and to those individuals and libraries that may prefer to receive it by subscription. It will be published at the rate of One Dollar for 200 pages however often it may appear, and subscriptions for the numbers at that rate may be sent either to the publishers, or to the editor (F. B. Sanborn, 5 Pemberton Square, Boston), the Secretary of the Association.

The Journal includes, in the first place, the Transactions of the Association; that is, the proceedings at its meetings, general or special, the papers read at those meetings, and such reports of the discussions as are made; and in the second place, other papers prepared for the Association, or relating to its work. Numbers Six and Seven, for instance, contain all or nearly all the papers read at the New York Meeting in May, 1874; and also, other papers or extracts from papers relating to the topics treated at that meeting. For the convenience of subscribers, certain topics are grouped together in Number Six; as, for example, those relating to Public Charities and Finance; others, relating to Public Health and Education are grouped in Number Seven. The latter also contains a record of facts and events, at home and abroad, which may be supposed to interest students of Social Science. All such, and particularly members of the Association, are invited to contribute statistics, reports, or any data whatever which can properly find a place in the Journal.

Number Six was published in July, 1874; Number Seven will appear in September, and Number Eight, probably, in December. Number Five was published in October, 1873. The table of contents of Number Six is appended. Number Seven will contain the papers on Sani-

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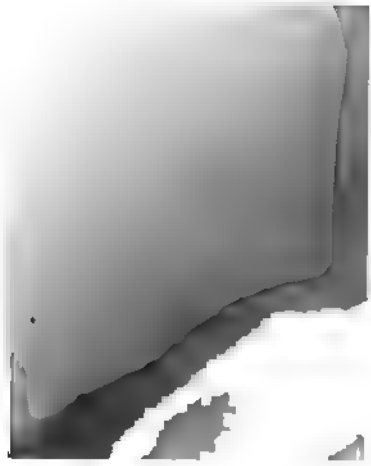
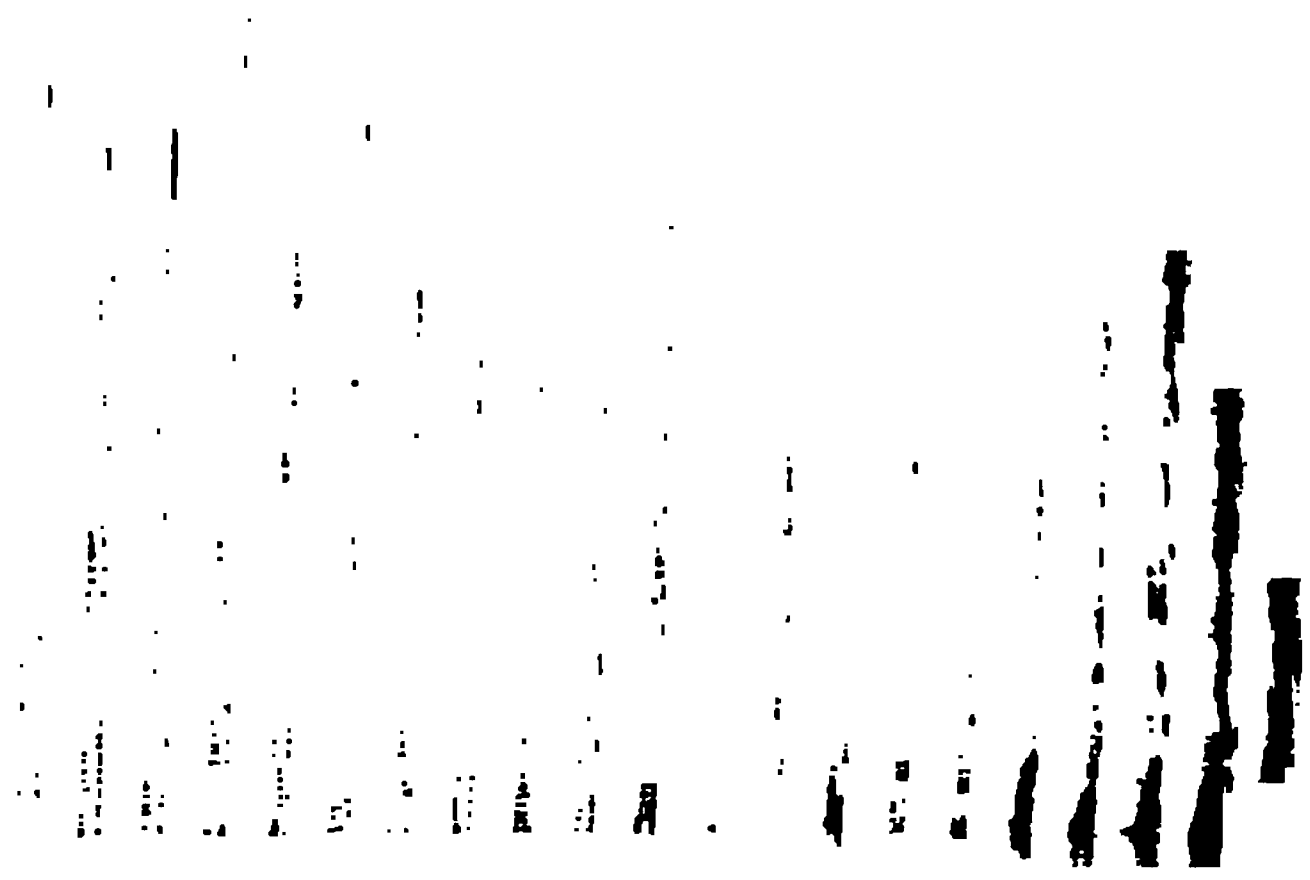
SECRETARY OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION.





tary subjects read at the New York Meeting; the papers of Presidents Woolsey, Gilman, and White, and other important matter. Number Eight will contain the proceedings of the Annual Meeting in October; the reports, papers and discussions thereat, and some account of the British Social Science Congress at Glasgow.

CONTENTS OF NO. 6.

THE AMERICAN SOCIAL SCIENCE ASSOCIATION.

THE AMERICAN SOCIAL SCIENCE ASSOCIATION was established nearly nine years ago, having been organized in Boston at a public meeting, Oct. 4, 1865, at which the late Gov. ANDREW of Massachusetts presided, and has had for its Presidents, Prof. W. B. ROGERS and DR. SAMUEL ELIOT of Boston, and GEORGE WILLIAM CURTIS of New York. Its members have varied in number from 150 to 600, and are now about 300. Its object is to investigate and discuss all questions belonging to that new and broad domain of thought and practical activity known as *Social Science;* and its methods are, the holding of public meetings, the formation of committees for special research, correspondence with all parts of the country, and the publication of information in various ways. It comprises five Departments, in either of which its members may enroll themselves, but which are managed by Committees appointed by the General Committee, which, in turn, is elected annually by the whole body of members. A copy of the Constitution is subjoined.

The publishers for the Association are Messrs. Hurd & Houghton, 13 Astor Place, N. Y., who will furnish all documents of which the supply is not exhausted. Nos. 1, 3, and 4 of the *Journal* can no longer be supplied. Members are entitled to all the publications of the year for which their assessment of five dollars is paid. The office of the Association is in Boston, and its annual meetings are held there, but its General Meetings are held in other cities.

It is not chiefly as the advocate of measures to be carried, that the American Social Science Association appears before the public. Its duty is rather to furnish a laboratory for investigations, an arena for discussions, a registry for facts and experiments, a bureau for questions and answers, in regard to the multiform matters coming under observation in our five present departments or sections, of Education, Health, Jurisprudence, Finance, and Social Economy. It has therefore been one of the main objects of the Executive Committee, carrying forward the work already begun, to put themselves in communication during the current year with as many organized bodies and individual inquirers as possible, and to obtain from them existing facts concerning the application of Social Science in any of these departments. To this end

the Secretary has corresponded with Boards of Education, of Health, of Trade, and of Public Charities; officers of prisons and reformatories, managers of other public establishments, employers of industry, experts in matters of revenue, currency, taxation, transportation, the distribution of products, etc., — in short, with such persons as may be supposed capable of enlightening the Association, and through it the American public, concerning the matters with which Social Science deals. What is thus acquired is published from time to time, in such ways as are open to the Association, and with more regularity and frequency than heretofore.

Another feature of our work henceforth will be the formation of local committees or branch associations in different parts of the country, through which the parent association can reach more readily the sources of information and of influence in each locality. Such an association has long existed, and has done much useful work, in Philadelphia; others are now formed or forming in St. Louis, New Haven, Conn., San Francisco, Galveston and Detroit, and efforts are making to establish State Associations in Pennsylvania, Ohio, Iowa and Wisconsin. A plan for the uniform establishment and operation of such Branch Associations has been considered by the Executive Committee, and was finally adopted in April last, and laid before the General Meeting of the Association in May, as follows: —

"1. That it does not seem practicable to bring all organizations for the promotion of Social Science, existing or to be established, to the same precise form and model; but that such as are willing to become auxiliary to the Association shall be designated as of three main classes, namely. (1) Branch Associations, similar to that at Philadelphia, (2) Local Departments, like the Boston Department of Health, and (3) Corresponding Committees.

"2. That in the Branch Associations, membership fees and assessments may be regulated according to the circumstances of the locality where such Association is formed; but that none shall be considered a Branch of the American Association until it shall have paid into our Treasury either the round sum of $300, or the annual sum of $15, or, in lieu of both, the value of $15 a year in publications. In consideration of such payment, the President, Secretary, and Treasurer, or any three members of the Branch Association, whom it may designate, shall be admitted as Members of the American Association, and the President shall be, *ex officio*, a Vice-President of the American Association.

"3. That Local Departments, now existing or to be established hereafter, may adopt special fees and conditions for membership, as the members thereof may choose; but each Department shall pay into the Treasury of the American Association not less than $5 annually, in consideration of which its Chairman shall be a member of this Association, and, *ex officio*, one of its Directors; and every such Department shall report its doings to the parent Association as often as once in three months, and once a month if required.

"4. That the Committees of Correspondence may be excused from all assessments and may have the opportunity of obtaining our publications at cost price, or by way of exchange for their own publications, and that the same privilege in respect to publications shall be extended to all members of Branch Associations and Local Departments.

"5. That if any amendments to the present Constitution shall be found needful in order to carry out this plan of local organizations, it shall be offered for consideration at the next Annual Meeting, to be held in Boston, Wednesday, October 14, 1874."

Besides the action contemplated in the above Plan, we aim also to establish intimate relations with special organizations working in the various departments of Social Science, such as Health Associations, Prison Associations, Conventions of Teachers, of Superintendents of Insane and Inebriate Asylums, and other specialists; in order that there may be good understanding and hearty coöperation between these several agencies and our own. To do this, or any other work of the kind, successfully, we need many members in all sections of the United States, and that these members shall do what they can to further the objects of our Association. We ought to have at least a thousand members, who should contribute the desired amount (not a large one) for the purpose of maintaining the Association in a state of useful activity, and among whom should also be prepared, in each year, papers on the subjects claiming discussion at our general meetings, and at the meetings of Departments and of Branch Associations. The British Association for the same objects, antedating ours by eight years, numbers now nearly a thousand members, and has attained a prominent position as an aid to legislation and to the promotion of measures for the good of society. It is the hope, and will be the effort, of the Executive Committee to make the American Association worthy of comparison with its British prototype.

The Officers and Members of the American Association at present (August 1, 1874) are as follows, in the various Departments and classes wherein they are enrolled.

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The above named persons, with the Chairmen of the Five Departments, make up a Council or Executive Committee, which meets in Boston on the last Saturday of every month. The Department Committees are as follows: —

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Department of Health, Dr. Morse Stewart.
Department of Finance, Wm. A. Butler.
Department of Jurisprudence, Wm. P. Wells.
Department of Social Economy, Willard S. Pope.

The President, Vice-President, and Secretary *ex officio*, are members of the Executive Committee.

MEMBERS OF THE ASSOCIATION.

August 1, 1874.

[It is understood that all members of the Executive Committee are also members of the Association, whether their names appear on the list as Life Members, Annual Members, etc., or not. In copying the list for publication, in order to avoid the duplication of names, those of the Executive Committee do not also appear among the members. Possibly some names have been omitted of members who are not officers; if so the Secretary will thank any person sending him an omitted name, or the correction of an address. The names of Life Members who have died are not retained on the printed list, and consequently the name of the late Professor Agassiz, who was a Life Member, is not here printed.]

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Wolcott, Mrs. J. Huntington, 238 Beacon St., Boston.
Wood, Rev. Horatio, Lowell, Mass.

CONSTITUTION OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION.

Adopted in Boston, October 4, 1865; amended October 13, 1869, and December 7, 1872.

ARTICLE I. This Society shall be called the American Social Science Association.

II. It shall include four departments: the first, of Education; the second, of Health; the third, of Finance; the fourth, of Jurisprudence.

III. It shall be administered by a President, as many Vice-Presidents as may be required to conduct the affairs of local sections, a Treasurer and Secretary; an Executive Committee, charged with general supervision; four Department Committees, established by the Executive Committee, charged with the supervision of their respective departments; and such local committees as may be established by the Executive Committee at different points to serve as Branch Associations.

The Executive Committee shall consist of the President, Vice-Presidents, Treasurer, Secretary, the Chairman of each of the Departments, and twenty or more Directors, with power to fill vacancies and to make their own By-Laws.

The President, Vice-Presidents, Treasurer, Secretary, and Directors shall be chosen annually on the second Wednesday of October, and shall hold office until their successors are chosen. The President, or in his absence a Vice-President, shall be Chairman of the Executive Committee. The Chairmen of the Department and local Committees shall be chosen at the pleasure of their respective Committees.

IV. *Any person may become a member by paying five dollars, and may continue a member by paying annually such further sum, not exceeding ten dollars, as shall be fixed at the annual meeting. Any person may become a life-member, exempt from assessments, on payment of one hundred dollars. Honorary and corresponding members may be elected, and exempted from the payment of assessments.*

V. The Executive Committee shall have sole power to call and conduct General Meetings, and to publish the transactions and other documents of the Association. The Department Committees shall have power to call and conduct Department Meetings.

VI. No amendments of this Constitution shall be made except at an annual meeting, and with public notice of the proposed amendments.

THE GENERAL MEETING OF 1874.

Held at Association Hall, New York, May 19–22, 1874.

It has been the custom of the American Social Science Association to hold two meetings in a year, besides department meetings. The Annual Meeting by the constitution is to be held in Boston, on the second Wednesday in October, which this year will fall on the 14th of that month. It is principally a meeting for business, — the election of officers, hearing of reports, etc. But it was formerly customary to have a few general papers read at the annual meetings, and this custom will be revived this year. The General Meetings of the Association for papers and discussions are held in different cities from year to year; sometimes in the spring and sometimes in the autumn. Those for 1871 and 1872 were omitted; that for 1873 was held in Boston (May 13–15, 1873); that for the present year was convened at New York, in the ample hall of the Young Men's Christian Association, from the 19th to the 23d of May last. There were seven sessions of the Association and three conferences in connection with the General Meeting. There were also two sessions of the Executive Committee in New York. The first of these with which the General Meeting began, was held at 3 P. M., on Tuesday, the 19th of May; the first General Session was on Tuesday evening at 7.30 P. M., and afterward, on the three following days, the general sessions were twice a day, at 3 P. M. and at 8 P. M., continuing until 5.30 P. M. and 10.30 P. M., at which hour on the 22d the sessions finally closed. The conferences of Board of Public Charities and of Board of Public Health began at 10 A. M., on Wednesday, the 20th of May, and continued at the same hour on Thursday and Friday. During the whole meeting, the persons who read papers, with their subjects and the order of business, were as follows:

Tuesday Evening, May 19.

1. An address by the President, GEORGE WILLIAM CURTIS, Esq.
2. A paper by the Rev. Dr. WOOLSEY, of New Haven, on *The Exemption from Capture of Private Property upon the Sea.*
3. A paper on *Financial Administration*, by GAMALIEL BRADFORD, Esq., of Boston.

Wednesday, May 20.

4. *The Duty of States toward their Insane Poor*, by Dr. JOHN B. CHAPIN, of Ovid, New York.

5. A report on *The Laws of Pauper Settlement in Massachusetts*, from the Jurisprudence Department.
6. A paper by Prof. D. C. GILMAN, of the University of California, on *California, a Study in Social Science*, read by Rev. E. W. GILMAN, of New York.
7. A paper by WILLARD C. FLAGG, Esq., of Moro, Ill., on *The Farmer's Movement in the Western States*, read by the General Secretary.
8. A paper by D. A. WELLS, Esq., of Norwich, Conn., on *Rational Principles of Taxation.*
9. A paper by Prof. BENJ. PEIRCE, of Cambridge, on *Ocean Lanes for Steamship Navigation.*
10. A paper by GARDINER G. HUBBARD, Esq., of Boston, on *American Railroads.*

Thursday, May 21.

11. A discussion on *The Powers and Duties of Boards of Health.*
12. A paper by Dr. J. FOSTER JENKINS, of Yonkers, New York, on *Tent Hospitals.*
13. A paper by Dr. ALFRED L. CARROLL, of New York, on *Sanitary Science in Schools and Colleges.*
14. A paper by GEORGE T. ANGELL, Esq., of Boston, on *The Protection of Animals.*
15. A report from the Health Department, by Dr. D. F. LINCOLN.
16. A report from the Finance Department by Prof. W. G. SUMNER, of New Haven.
17. A General Discussion on Financial Questions.

The speakers in the debate were GEORGE WALKER, Esq., of New York, who presided; DAVID A. WELLS, Esq., of Norwich, Ct.; CHARLTON T. LEWIS, Esq., of New York; CHARLES MORAN, Esq., of New York; GAMALIEL BRADFORD, Esq., of Boston; SAMUEL B. RUGGLES, Esq., of New York.

Friday, May 22.

18. A paper on *The Powers and Duties of City Boards of Health*, by Dr. STEPHEN SMITH, of New York.
19. A paper by Dr. ELISHA HARRIS, of New York, on *Vital Registration and the Proper Use of Vital Statistics.*
20. A report of the General Secretary, F. B. SANBORN, on *The Work of Social Science in the United States.*
21. An address by CEPHAS BRAINERD, Esq., of New York, on *The Social Science Work of the Young Men's Christian Association.*
22. A report from the Department of Social Economy, on *Pauperism in the City of New York*, read by Dr. R. T. DAVIS, of Fall River, Mass.

23. A paper by Dr. E. M. GALLAUDET, of Washington, *National Deaf-Mute College.*
24. A paper by Z. R. BROCKWAY, Esq., of Detroit, Mich., o *Reformation of Prisoners*, read by Hon. H. B. BROWN, of Detroit.
25. A paper by Hon. ANDREW D. WHITE, of Cornell University, on *The Relation of National and State Governments to Advanced Education.*
26. A paper by WILLIAM W. GREENOUGH, Esq., of Boston, on *Public Libraries.*

At the first and last session the President, Mr. CURTIS, occupied the chair; Dr. WOOLSEY presided at the second; Mr. CHARLES MORAN at the third; JACKSON S. SCHULTZ, Esq., at the fourth; Mr. GEORGE WALKER at the fifth; and Mr. G. BRADFORD at the sixth. On Wednesday, May 3, at 10 A. M., there was a conference of the Boards of Charities in the United States, Hon. J. V. L. PRUYN, President of the New York Board, in the chair; and a conference of Boards of Health, on Thursday, at the same hour, Prof. C. F. CHANDLER, of the New York Board, in the chair. There was also held a conference of the Boards of Health and of Public Charities united, on Friday, May 22, at 10 A. M. Delegates from the State Boards of Public Charities and Health of New York, New Jersey, Massachusetts, Connecticut, Maryland, and Wisconsin, were in attendance; and nearly all the boards in the country were represented either by delegates or by letters. At this final conference — Dr. Stephen Smith, President of the Health Department of New York City, occupying the chair — reports were made by committees appointed at the conference of Wednesday. The Committee on Uniformity of Statistical Reports, and Coöperation between Boards of Charities, made a preliminary report through their chairman, Mr. F. B. Sanborn, a delegate from the Massachusetts Board, and asked further time for correspondence and consultation, in order to complete the report. Dr. Nathan Bishop, for the Committee on Buildings for the Poor, made a preliminary report, and asked for further time. Both committees were authorized to report in full at some future day; and a third committee was voted to consider the best method of providing for the children of paupers and for young delinquents, to be appointed by the chairman of the Friday Conference. Fuller reports of the proceedings at these conferences will be found in connection with the papers read thereat. The Conference of the Boards of Charities is reported in this number of the Journal. The Health Conference, with the papers on Sanitary Subjects, will appear in the seventh number of the Journal, to be published in September.

At the first session of the Association, on Tuesday, the votes of the

Executive Committee respecting papers to be furnished for the Social Science Congress, at Glasgow, upon invitation of the British Social Science Association, were read and approved, as follows: —

At a meeting of the Executive Committee of the American Social Science Association, held in New York on the 19th inst., the resolution of the National Association for the Promotion of Social Science in Great Britain in regard to the papers on American subjects for the Glasgow Social Science Congress in October next being under consideration, it was voted that of the three subjects specified, the first, "Poor Laws and the Public Charities," be assigned to Mr. Sanborn, the General Secretary; the second, "Public Education," to Hon. Andrew D. White, President of Cornell University; and the third, "The Health of American Cities," to Elisha Harris, M. D., Registrar of Vital Statistics for the City of New York; and that these gentlemen be requested to forward papers on the above-named subjects to Mr C. W. Ryalls, General Secretary of the British Social Science Association, on or before the 1st of September next. It was also entered in the records that Professor Peirce has been delegated to represent the American Association at the Glasgow Congress, and to present a paper on "Ocean Lanes for Steamship Navigation." It was further voted to invite Mr. David A. Wells to furnish a paper on some American financial topic for the Glasgow Congress.

The resolution above referred to, adopted by the National Association of Great Britain, for the Promotion of Social Science, and transmitted to the American Association with an explanatory letter from Mr. C. W. Ryalls, was also read, as follows: —

Resolved, That the offer of the Committee of Arrangements of the American Social Science Association be accepted with thanks, and that the Committee be requested to contribute papers to the Glasgow Congress on the following subjects:

1st. Poor Laws and Public Charities.
2d. Public Education.
3d. Health of American Cities.

The persons above designated to write papers for the Glasgow Congress have accepted the invitation (with the exception of Mr. Wells); and Professor Peirce sailed for England on the 10th of June, to present the subject of "Ocean Lanes" to the consideration of the two Associations in Great Britain to which he was delegated, the Social Science Association and the British Association for the Advancement of Science. Upon hearing his paper on this topic at the evening session of May 20, a committee was appointed by the American Association to urge practical measures for the safety of ocean steamships and of their passengers upon the governments and the private corporations having power to deal with the question. Several of the gentlemen appointed on this committee having declined, it now includes the following names: Robert B. Forbes, Esq., of Boston, *Chairman;* Prof. B. Peirce,

Cambridge; James Sturgis, Esq., *Boston;* Robert H. McCurdy, Charles H. Marshall, George W. Blunt, and W. D. Morgan, Esqs., *New York;* Francis R. Cope, Charles Platt, and J. Vaughan Merrick, Esqs., *Philadelphia;* and Thomas Whittridge, Esq., of *Baltimore.*

It is expected that this committee will make a preliminary report at the annual meeting of the Association in October.

Upon accepting the chairmanship of this committee, early in July, Mr. Forbes addressed a letter to his colleagues, directing their attention to certain publications concerning the subject. From the letter the following extract is taken, as of general interest: —

LETTER OF R. B. FORBES, ESQ., JULY, 1874.

The original pamphlet published by the Board of Underwriters of New York in 1855, now before me, contains in suitable form pretty much all that can be said on the subject. It is well illustrated by a chart of the routes recommended, as well as by diagrams showing the condition of the weather, as derived from the examination of 46,000 days, comprised in the logs of ships. I recommend to the Committee to study this work, which has recently been reprinted by the United States Hydrographic Office. Commodore R. H. Wyman, who was in charge of the office at the time of this publication (1872), introduces the subject in the following words, —

"UNITED STATES HYDROGRAPHIC OFFICE,
WASHINGTON, D. C., *October* 4, 1872.

"It seems appropriate at the present time, when the ocean steamers between the United States and Europe are so numerous and still on the increase, to republish a paper on 'Steam Lanes across the Atlantic,' written in 1855 by M. F. Maury, LL. D., etc., then a lieutenant in the United States Navy. The adoption of these or similar prescribed routes, for the passages to and from Europe, would most assuredly give greater security to life and property, and reduce the dangers of navigation to those which may be encountered on less frequented routes."

Besides this introduction, Commodore Wyman goes on to speak more at length of the great advantages to be derived from following the Maury Lanes, and ends by quoting from Maury thus: —

"I therefore content myself with laying before them the following correspondence, and with saying that the recommendation therein contained has met with favor from the right quarter, both in Boston and New York, and from every sea captain with whom I have had an opportunity of consulting."

It may not prove entirely irrelevant to mention the origin of the "Lanes." The first communication to Lieutenant Maury that I find on the subject and alluding to others, bears date 11th December, 1854. In this letter I state, — "You must show in *figures* just how much

distance is lost by giving Sable Island and Cape Race a good berth, and balance the account by diminishing fogs and chances for collision and wreck on rocks." In his reply, Lieutenant Maury alludes to a paper on the Packet Ships of New York, which he says was published in the January number of the "Southern Literary Messenger" for 1839. He alludes to the first steamer regularly used on the line (the *Great Western*, Captain Hoskins), and he alludes to shortening the distance some seventy to eighty miles, by following the great circle. Great-circle sailing was at that time a comparatively new thing. Maury furnished Hoskins with a chart illustrating the great circle route, and says, "Hoskins kept it to himself, sailed by it, and thus his short runs in comparison with his competitors are explained." He also alludes to gaining some 200 miles by keeping in the Gulf Stream going east. In this letter he estimates the distance to Cape Clear, giving Cape Race an offing, at 2,870 miles, and returning by the great circle, 2,690 miles or knots. He also speaks as to the breadth of the lanes, asks me to inform him as to how nearly steamship navigators could estimate their latitude when deprived of observations, and says that when he has these data he will project the lanes. Early in 1855 I consulted him as to bringing his written theories into notice by a lecture. I cannot find my letter to him, but I find his reply, dated 19th February, 1855, in which he writes, "Your idea of bringing the lanes into notice is a capital one. I approve of it most heartily in all its details, except the *benefit*." It would appear that I proposed to call the public attention to it by a lecture and give him the financial benefit, and he answers thus, — "I do not know why I should hesitate about that, unless it be because of that sort of pride which goes with poverty, and a vague sort of fear that anything like the idea of *pay* would, in the minds of some, operate to the prejudice of the lanes or of myself. I am, however, clear for the lecture, and am quite willing to leave the matter that is personal to Curtis and yourself, or any other Boston friends whom you may consult. Diagrams will be very necessary to you, and you are the most fit lecturer. After navigators shall have used these lanes a year or two, and returned *well-kept* logs, we shall know all about them, and perhaps be able to improve their position, etc., etc."

The allusion to Curtis, refers to the late Thomas B. Curtis, who felt great interest in the subject, and whom I consulted. At page 4 of the original pamphlet, and page 7 of the one republished by Commodore Wyman, in a letter of certain underwriters and merchants (myself among the number) to Lieut. Maury, of date January 8, 1855, the following words occur: "We have observed a suggestion in your letter to Walter R. Jones, Esq., of New York, proposing one route for steamers to go, and another to come, of which you cite our fellow-

citizen R. B. Forbes, Esq., as the original author." I have some doubts as to whether Mr. Curtis does not deserve equally with myself the credit of the original suggestion. I think he does, but I cannot find any proofs. The state of his health at that time made it necessary to confer with him personally and not by letter. I shall endeavor to find the original letter alluded to, addressed to Walter R. Jones, as this would seem to have been the principal step towards the illustration of the lanes, and it may contain something important not mentioned in the pamphlet reply, dated 15th February, 1855. Whether the suggestion came originally from Mr. Curtis or myself, and whether it was called forth by Maury's writings, in which we both took great interest, is of no consequence now, and I only mention it in order not to claim exclusive credit for an idea which though only recently made the subject of grave deliberation, ought to have occurred to all, and been acted upon long ago.

Now that we have a steamer leaving Europe or North America on the Atlantic every five or six hours, no amount of argument should be necessary, and no pains omitted to induce all to adopt the "Maury Lanes." In looking over Maury's pamphlet I find the subject so fully treated, that, as I remarked in the beginning, there is very little to be said in addition thereto. One advantage in the lanes will be found in knowing, on board of a disabled vessel, or in boats from an abandoned vessel, when in the vicinity of the European tracks, exactly where to find relief. This is assuming that the party in distress knows where he is, and this brings to my mind the subject of metallic boats and compasses. The metallic boat, if properly constructed, is better than a wooden one for steamers, but it would surely affect the compass, and render close navigation impossible.

It is to be hoped that our worthy coadjutor, Professor Peirce, now in Europe, will confer with parties interested in the adoption of Maury's Lanes, and bring back to us such information as will tend to insure their adoption. In the mean time let passengers going to Europe give the preference to those who adopt them; this will do more towards introducing them than any legislation or any action by scientific and social associations.

In presenting this preliminary paper to the Committee my principal aim has been to get at further material for the discussion of the subject, and to induce those of my associates who have not studied the subject to do so, and give their impressions, in order that we may be fully prepared to confer with other associations, and especially with any Commissioner who may be appointed under authority of Congress.

P. S. — *25th July.* — Since this communication was commenced I have received from Commodore Wyman, pamphlet No. 49, issued by

the Hydrographic office. At page 4, I find it stated, after alluding to Maury's work, "We shall see if the question has been sufficiently examined, and if the general conclusions arrived at by Maury should be adhered to." And at page 12 are given certain extracts of observations in 1872 by the German Observatory, in which Herr Von Frieden, after discussing the subject, comes to the conclusion that Maury's lanes do not indicate the best route as to time, and he goes on to say: —

"The only available plan seems to be to adopt one of three alternatives, viz.: —

1st. To devote to the exclusive use of steamships (an apparent impossibility) that part of the ocean traversed by them.

2d. Simply to declare this a dangerous one, and warn shipmasters to exercise the greatest vigilance on approaching it, or,

3d. And above all, to render obligatory the precise routes given in these tables, and to publish detailed descriptions of them for the benefit of mariners of all nations.

This last proposition is recommended to the consideration of maritime powers, to serve as the basis of an international treaty."

In regard to these three alternatives, I have to say that the first is impossible. The second would merely be reiterating a caution like those at the corners of unaccepted streets, — "Private way, dangerous passing," — which navigators would care little about; and the third is objectionable because different tracks for every month would be complicated and difficult to illustrate clearly to the eye of the ordinary navigator.

Having opened a correspondence with Commodore Wyman, and desiring if possible to be in concord with his views, which he promises to give me, I shall reserve for another letter what I have to say further on the subject, and I have now only to add, that in my opinion, the lanes or tracks should *not be merely for the saving of a few hours, but principally for safety and convenience.* Trusting that this view may be in accord with yours, I am, yours, etc., etc.,

R. B. F.

ABSTRACT OF THE FINANCIAL DISCUSSION.

THURSDAY EVENING, MAY 21, 1874.

At the discussion on Finance appointed for the evening of Thursday, May 21, GEORGE WALKER, Esq., formerly Bank Commissioner of Massachusetts, was invited to the chair. In calling the meeting to order, Mr. Walker said, —

For the first time in the present generation the dominating interest before the country is finance. It absorbs the attention of Congress as it has not done

since the days of Gen. Jackson and the United States Bank. It is true that financial measures of a more momentous character than those now under discussion were enacted by Congress ten years ago; but that was during the war, when their importance was dwarfed by the grandeur of the struggle of which they seemed but insignificant incidents. Outside of Congress and the small body of bankers and capitalists, the finance measures of the war were not seriously considered or scrutinized. Indeed, they followed each other in such rapid succession that it was hardly possible to consider them separately in their antecedents or their consequences.

On the other hand, many things now conspire to give unusual and merited prominence to the financial policy of the country. The panic of last fall, and its attendant train of disasters; the absence of any absorbing party issues; the weakness of party organizations; and, finally, the conviction which is at last brought home to a large portion of thinking people, that this is a personal and domestic question, the right settlement of which affects the smallest communities and households.

Since the war ended a desperate struggle has been going on in this country, between the exuberant life and vast natural resources of the nation on one side, and a false political economy on the other. An attempt has been made to prove that America is an exceptional country, and is not subject to the laws of finance and public and social economy which govern the rest of the civilized world. But the struggle is ended, and the attempt has ignominiously failed. For a time it was hoped and feared that the President was a victim to the hallucinations which blinded some of his most loyal followers, but in his own simplicity and strength he has emerged from the mists which obscure the Capitol, and seemed to hang over the White House, and has given the 'coup de grace' to a series of measures pending in Congress, which menaced the credit of the nation abroad and its prosperity at home. The effect of the veto has been most remarkable, both in and out of Congress. It has settled the question as to what may not be done, and it has settled it on broad principles, and not merely in details. No measure, therefore, is likely to be presented for the President's signature which looks towards inflation, or militates against a reasonable progress towards specie payments. All besides this — especially all that relates to banking, is fairly open and debatable. The community may safely settle down under the assurance that no further steps backward will be taken.

But more gratifying than its influence in Congress has been the reception of the veto out of Congress both in Europe and this country. A newspaper of this morning invites attention to the fact that United States five per cents. are now two or three per cent. above par in gold, both in the home and foreign markets, and bases on this fact the timely suggestion that Congress shall authorize and the President shall undertake the funding of the remaining sixes into five per cent. bonds. I have never believed that more than this can be accomplished, bearing in mind the price of the best Government securities of Europe, in other than their home markets. English consols are an exception only because their amount is limited, because they are fully absorbed in trusts or where absolute security is more regarded than income, and they are known and quoted only at home. In this connection I do not think there is any impropriety in my stating that, when in Europe in June, 1865, as the agent of

the Treasury Department, the representative of the Rothschilds, at Berlin, Herr Bleichroder (a man since celebrated as the financial adviser of Prince Bismarck), said to me that if things went smoothly in the United States for a couple of years, he had no doubt his house would be willing to take two hundred millions of our bonds at five per cent. Remember that this conversation occurred less than two months after the surrender of Lee, and that this clear-sighted financier anticipated the exact operations of the syndicate, which did not take place till more than four years afterward.

The reception of the veto at the West shows how sadly misrepresented that vast and powerful section of our country has been in respect to inflation. The great constituency of repudiators who have frightened so many Western Congressmen out of all sincerity of opinion or action on the finances, is found not to exist. The Western farmer has proved a better political economist than his representatives. He is beginning at last to understand, that a section of country which sells its great staples at prices fixed in hard-money countries cannot longer afford to encourage the maintenance of a currency which adds largely to the price of all it has to buy. Having, in fact, returned to a specie basis in its own commerce, the West is above all other sections interested in forcing the whole country back to the same standard. How to return to specie payments is, of course, a most difficult problem; but if all the country were agreed, it would not be difficult to take steps in that direction. The example of France in her recent troubles is worthy of careful study and of imitation. No such burdens were ever so successfully borne; no such difficulties ever so quickly surmounted. Two things have chiefly contributed to this result — the industry and economy of the people and the soundness of the banking and currency system. Before the war the Bank of France held in specie an amount nearly equal to its paper issues, and there was a vast circulation of the precious metals in the hands of the people. Though the gold disappeared with the war and the suspension of cash payments, comparatively little of it left the country, the Government paying as large a portion of the indemnity as possible in the form of bills on England and Germany. The panic of last fall is full of instructive lessons, which, in the stagnation it now suffers, are being slowly digested. It was caused by overliving, by an excessive growth of public and private indebtedness, and by the over-absorption of quick capital into fixed investments. This last is the one invariable phenomenon attending all periodical crises. It comes from natural causes, and cannot be altogether helped, but it can be greatly aggravated by bad finance and bad banking, as I am of opinion it was in our case. Debt, however, was the special curse which we brought upon ourselves — national debt, municipal and corporate debt, individual debt.

In painful contrast to the frugal habits of the French people has been the extravagance of our own. We all spent money recklessly. The annual budget of the nation has been far greater than it ought to be. Our cities have laid out too many parks and boulevards and built too many water-works and costly buildings, excellent as many of these things are in themselves. Railroads have been built not in answer to the demands of population, but to suit the purposes of contractors, of importers of iron and sellers of bonds. How this bond-selling came to be a lucrative business is one of the curious results of the war. The Federal Government created of necessity a vast debt, which

was at first loyally taken up at home. But the high price of gold, in which the bonds are payable, but for which they were not sold, made them a tempting purchase in Germany. We must now frankly confess that the sympathy of Continental Europe, as shown in the rapid absorption of our bonds, and which in our more enthusiastic days we set down to an enlightened and liberal political sentiment, was, after all, only the sympathy of the pocket and the instinct of ten per cent. But it served us well at the time, though in the end it did us injury by encouraging the creation of railway debts far in advance of the wants of the country for new lines, warming into life many enterprises, the wrecks of which now strew the shores of the Atlantic on both sides. The rapid export of the five-twenties created a vacuum in this country. Now, as nature is said to abhor a vacuum, the financial caterers made haste to fill it. Railway bonds were prepared having a close resemblance to the familiar five-twenties. They were headed with the title and insignia of the United States, and were adorned with all the bravery of colored printing and gilt letters. The convenient little coupons, which had commanded money everywhere on their semi-annual presentation, were not wanting. What wonder that these papers, so calculated to deceive the unwary, were readily taken by the mechanics and farmers of the country little accustomed to inquire into the basis of such securities.

The fatal facility with which the Government disposed of its obligations tempted all lesser bodies to try their hand at borrowing. Thus States, counties, cities, towns, and manufacturing as well as railway companies set themselves at work to print and sell bonds; while individuals, considering themselves in the light of corporations sole, and entitled to share the corporate privilege, emulated the higher example. The style of living advanced so much that it became necessary to have great profits to sustain great expenses. No doubt a large amount of the personal dishonesty which the last two or three years have unveiled has been due to the exigencies of luxurious living. It has made slaves of all, and ruined not a few. Neither as a nation nor as individuals are we content to move slowly. The rewards of a life-time of steady work and economy must be grasped in a few years. We drink the wine of life, not with temperate enjoyment, but to drunkeness. It is painful to see so few old men among us. There are gray heads not a few, but they are on young or middle-aged shoulders. The ruddy and vigorous men of threescore years and ten of whom one sees so many in old countries, and especially in England, do not live in New York — hardly anywhere in America. It is a good time to think of these things when enforced idleness leaves much time for thinking. The passionate life of the war cannot last always; it wastes too rapidly. Let us be content with less, and take more time to enjoy it. With a prevision of our times and our countrymen, wrote the wise Hesiod,

"Νήπιοι, οὐδὲ ἴσασιν, ὅσα πλέον ἥμισυ παντός."

"Foolish and shortsighted are they, since they know not by how much the half is greater than the whole."

Professor SUMNER, Secretary of the Finance Department, then read a report, which will be found at the close of this number. After the reading, the chairman called upon several gentlemen present to take

part in the discussion of the questions under consideration, and brief remarks were made by Mr. CHARLTON T. LEWIS and others.

Mr. LEWIS said he would confine himself to one remark made by Professor Sumner, whose observations called attention to a work which lay not merely before the Association, but before all who had a conception of the crisis through which we were passing. That work was the education of the voters of the nation in some of the elements of the great question of finance. The great difficulty of that question lay in the fact that it was not understood. Professor Sumner, had not argued the question of irredeemable currency; he had not attempted to show that the legal-tender act was unconstitutional, for obvious reasons. Another difficulty was, that in this country legislation was not adopted as a matter of scientific truth, but as an expression of the political opinion, not of educated men, but of the masses, whose opinions were formed under the most indefinite conceptions. Was it possible, he asked, that the voters of the country could be made to see that their prosperity was at stake? He believed that the great question of importance before the Association was, whether it was not possible that the political convictions of the masses might not be brought in accord with scientific truth. What man would go before the people of the United States and instruct them on this financial question, and explain to them the effects of an irredeemable currency and its train of evils?—a system which destroyed the morals of public life, and injured the prosperity of the country in the highest sense.

Mr. DAVID A. WELLS. There is so much to be said on this subject that I hardly know what topics to take up. But as I listened to Professor Sumner's admirable paper, it occurred to me that I might possibly put in a few facts to fill up the outline. I think if we would reason correctly on the situation under which the country finds itself to-day, that we must go back as far as the year 1857, and follow up the course of history since that time. The panic of 1857 was one of the most severe that has ever visited any country, but it left us in a healthy condition, and there never has been a time in the history of the country, when we grew with so much rapidity as we did from 1857 to the breaking out of the war. People worked then and people economized; there was more money saved and earned at that time than we have seen within almost any three years of our existence. Then the war came, bringing with it, first high taxation, mainly in the form of tariff rates and taxes on manufactures. Then followed the legal tender law with all its attendant evils, and from that time these influences have contributed to restrict our growth and development. In fact, there is no subject more interesting, no investigation more important, than to go over the experience of those years, and dig out one by one the great facts that show in what way bad legislation and bad finan-

ciering have operated to restrict our growth. And I have one striking fact before me, and one to which I want to bring your attention to-night. I think in the whole history of commerce there never has been anything more significant than the Reciprocity Treaty with Canada, negotiated in 1853–54. Before the treaty, the aggregate of the exports and imports of this country and Canada, or the aggregate of the exchanges of the two countries, was something like $20,000,000 per annum. In 1853–54, we negotiated and put in operation a treaty of commerce, by which the main products of the countries were exchanged between the two. What was the result? The very first year the treaty went into operation, the exchanges of the country went up from twenty millions of dollars to thirty millions, and in the next year they rose to forty millions, and they went on rising, until the last year of the treaty (1865–66) when they attained the maximum of $84,000,000 per annum. The effect of annulling this treaty was that the exchanges fell down from something like $84,000,000 to $57,000,000, and the next year to something less, and then, having reached the lowest point, we began to climb up again.

Now, if we had free and unrestrained commerce between the two countries, instead of selling Canada, as we sold her last year, only $32,000,000 worth of material, we should have sold her $47,000,000, and with that additional $15,000,000 we would have leavened the whole loaf of our industry. Were this the case, how many manufactories we would have in operation and how many American-built ships would we have on the ocean in operation to-day. [Applause.] Under these circumstances we should not have to regret the condition to which we have fallen. Through the defects in the currency of the country, also, its full development has been materially prevented. An illustration which suggests itself to my mind is this. Three years ago I had an interview with an embassy that came from Japan, and some facts there and then presented themselves. I found that that embassy, composed of some of the chief men of Japan, came to this country with the kindest possible sentiments in regard to the United States. There was nothing which they were not willing to do in exchange for what we might do for them. They reported a population of between 30,000,000 and 40,000,000 of people, passing from a state of oriental civilization to European civilization, and sending to this country their products in exchange for what this country is able to give. Japan has no cotton of any consequence, few draft animals, few horses, and very little material for carrying on the manufacture of leather goods. The Japanese have no sheep, and no material for the manufacture of woollen goods, and yet they require in these respects sufficient material for protection against the cold. This country was passing into a state of European civilization, and required leather goods, woolen and cotton

goods, the things which of all others the United States was specially adapted to produce, because the bulk of the work of this country is performed by machinery, and the raw material we are particularly fitted to produce, and Japan has to give in exchange an abundance of silk, tea, fibres, gums, and the material for the manufacture of paper. And yet when these Japanese came over here, the Yankees of the East, looking at the value of a shilling, they found out very soon, as it were, that their dollar and their shilling could not buy them as much in this country as in almost any other. What is the result? Why, the great trade we might have developed in connection with that nation of thirty millions people — a population almost equal to our own — is simply passing by us, and we have lost the control of the Pacific. I understand that last year there sailed out of German ports twenty-nine vessels having on board such of their products as were to be consumed in Japan. Here is another matter to be considered in reference to our financial difficulties. A few years ago a committee was appointed by Congress to investigate the condition of American shipping on the high seas, and a friend of mine, Mr. Lynch, of Maine, was at the head of the committee. The result of that investigation showed, as any man who understands the matter can prove, that before the year 1856, lumber came over from Canada free of duty and was worked up by us and our machinery into houses and the like, and sent all over the world. After 1856, twenty per cent. duty was put on, and our people moved their capital and machinery across the line, or the Canadians took up the business where we dropped it. Business, therefore, passed into the hands of the Canadians, and whereas in 1866 no vessels built of foreign material sailed out of British ports, they now have the trade to themselves almost exclusively. In conclusion, Mr. Wells remarked that all that was now necessary was for the people to understand the situation, and put some one in the executive management of the country who understood its conditions and would faithfully attend to its interests.

The Chairman said that while he was unqualifiedly in accord with the general sentiments expressed by Mr. Wells, and the very able paper of Professor Sumner, there yet occurred to him an idea or two which he desired to express. He was aware that he was speaking from the unpopular side of the subject, because he was brought up as a protectionist and still adhered to that platform. When, therefore, Professor Sumner imputed to the spirit of protection a disposition to limit the hours of labor, and to limit the quantity of production, he seemed to be following the old maxim, and perpetuating the bad name of the dog. Now, where did the idea and practice of restriction originate but in the great protective country of the world, — in England? England, too, gave birth to the limitation of the hours of labor, through her

trades-unions, and the restriction of the hours of labor was at the very bottom of the trades-unions movement. This spirit of restriction, both as to hours of labor and production, was foisted upon this country from Europe, and is not indigenous to America. But after all, is there not a great deal of philosophy in the idea? Should our furnaces be run to their full capacity, and our iron-masters go on making iron without any regard to whether they can sell it, and should our merchants go on importing without knowing whether there is likely to be a demand for their goods? As he understood this question it was purely one of supply and demand. The remarks of Mr. Wells about Canadian reciprocity recalled to the Chairman's mind the fact that Professor Goldwin Smith, who had spent some years in this country and Canada, had recently in England publicly defended the principle of protection from a Canadian point of view. Now, the whole world, in a sort of abstract way, looked upon free trade as the ultimate goal to be attained; but it may be doubted whether the world would ever, in an infinity of years, reach that goal. It was not to be doubted that the interests of the various countries of the world are widely divergent, and the world is not one nation. The example of the Zollverein in Germany was as remarkable as that of England, and it was beyond question that Germany had within the past few years reduced the cost of production to such a minimum as enabled her to compete with England. It appeared, however, that Professor Sumner had been inclined to overlook entirely the social aspect of this whole topic of free trade. The "Economist" lately presented some good ideas concerning it, in which that journal said the popular argument that sheep-farming was the only business which Australia should develop simply because she could produce sheep cheaper than any other country, was a very hard suggestion toward the welfare and prosperity of the colonists. Why? Because the Australian needs development, and desires it as deeply as does any other man of progress; and a country can only be developed by the development of the manufacturing as well as the productive industries. To condemn Australia to a career of perpetual sheep-farming, and to that exclusively, would be to limit her growth and cripple her intellectual advancement. As nations at peace with each other are drawn more closely together by the ties of commerce and industrial enterprise, all these interests which are now discordant may be blended into an international harmony. We must remember, however, that that time has not yet come, nor, indeed, does it appear very imminent.

Mr. Charles Moran said that the financial question is, What are the instruments of exchange that we have? It is customary to condemn paper money, and this is just on the issue of Government paper money, which, instead of adding to the prosperity of the country, takes

away from it. Government money must be put at the bottom of the list of all money; and bank money, which is the very best that ever was imagined or that man has ever dreamed of, must be put at the top. The great error is to suppose that a certain amount of currency will always be exactly the proper amount needed. Lord Overstone and Sir Robert Peel fell into this error. Sir Robert Peel issued £14,000,000; no more was to be issued at any time, and it was then supposed that a uniform amount of money was wanted. Have the exchanges of the world ever been made in bullion alone? To-day coin and bank notes, as shown by Sir John Lubbock in England, and in this country by the Clearing-house, only represent from three to four per cent. of the payments made, and the remaining ninety-six to ninety-seven per cent. are paid in London and New York in commercial paper. What would be the difference if even the three or four per cent. were to be doubled? This has entirely escaped the attention of the economists. Increased production needs an increase of the amount of exchange; and production increases every day.

Mr. Bradford said he cordially agreed with Professor Sumner in his opinion that republicanism was now on its trial, and that on this question of finance the fate and future of the people of this country were involved. He sympathized with those people who, as one of the results of the war, acquired a new faith in republicanism. He held, however, that this was a very different matter, and was to be settled in a very different way. When the rebels were at Gettysburg, was there any talk of educating the people of the North up to the task of conquering them? No; we went to West Point and tried the men who were trained there. We found General Grant and he took Vicksburg; found General Meade and he conquered at Gettysburg. This question of finance was one on which the people in this room could not agree; and how, therefore, was it possible that the people of the United States could agree about it? If they would settle this question, they should have a man who would take the reins and drive. The Secretary of the Treasury had no power to make laws, and the men who made them had no responsibility for their effect. Everything that was now done was the result of a compromise. How was the system to be carried on in this way? Instead of pressure coming from below, it should come from above. It was personal force that would solve the difficulty, and when they had a man in the Treasury that would be able to act there as General Grant did at Vicksburg, they would carry him over Congress, and it was thus that the difficulty would be solved.

Mr. Samuel B. Ruggles made a brief address, in which he alluded to the variable value of a dollar. A dollar, in his estimation, should represent 25.8 grains of gold, but it now only represented about twenty-

one or twenty-two, and if General Butler and Mr. Logan had their way in Congress it would soon be not worth even that figure.

About half the papers read at the ten sessions of the General Meeting were discussed by experienced persons, but no full report of these discussions could be made. Such as have been reported, briefly or fully, will be found in this and the succeeding numbers of the Journal.

The Address of the President, the Reports of the Secretary and of Dr. Lincoln, and the papers of Dr. Woolsey, Mr. Bradford, Mr. Hubbard, Dr. Gallaudet, Mr. Brockway, and Mr. Greenough were not discussed at all, either from the lateness of the hour at which they were read, or from some other cause. In lieu of a discussion, in some cases, the editor has printed information or suggestions bearing upon the subject of the paper, — as, for example, in connection with Mr. Brockway's paper, the valuable suggestions made by Sir Walter Crofton to the New York Prison Association concerning the conditional release of convicts. At the close of the paper read shortly before Mr. Brockway's by Mr. Angell, President of the Massachusetts Society for the Prevention of Cruelty to Animals, after Mr. Henry Bergh had spoken, Hon. Jackson S. Shultz, former President of the Metropolitan Board of Health of New York, who presided at the session, assured the Association that Mr. Angell had rather understated than exaggerated the cruelties inflicted upon animals, as shown in his official experience, and expressed the hope that the subject would now attract public attention more generally and reforms be instituted in this country which had long been introduced in some parts of Europe. Some recent information respecting the treatment of this subject in Europe will be found annexed to Mr. Angell's paper.

No vote or other action of the Association was had, nor was any resolution moved upon the financial questions under debate; but the whole tone of the speakers and the response of the audience showed that those present favored a return, as soon as possible, to a specie basis for public and private financiering.

On other subjects a few resolutions were introduced and votes were passed during the General Meeting. A resolution passed by the Conference of Health Boards in favor of the general establishment of Boards of Public Health in all the States of the Union, was adopted by the General Meeting. The plan of forming Branch Associations, Local Departments, and Committees of Correspondence auxiliary to the American Social Science Association (printed on pages 2–3), was read at one of the sessions for the information of the members present. The votes passed are to be considered as expressions of opinion or as suggestions to the Executive Committee, the transaction of formal business at a General Meeting of the Association not being customary,

and such votes not being regarded as explicit instructions to the Executive Committee. Under the vote favoring the circulation of the report on "Pauperism in New York" as a cheap tract, the Committee have already obtained its publication as a part of the annual report of the Boston Overseers of the Poor, in which form it will reach several thousand readers. The vote in regard to the paper of Dr. Jenkins, will be carried out when that is published along with the other sanitary papers in the next number of the Journal. The votes and resolutions above alluded to are as follows: —

Resolved, That it is expedient to establish State Boards of Health in all the States where they do not now exist, and that in these and other States the Supervision of Registration and the Collection of Vital Statistics should be assigned to the Board of Health.

Resolved, That Dr. Jenkins be requested to annex to his paper on "Tent Hospitals" simple diagrams illustrating this subject, and also formulas for further inquiry and observation, and that, when this has been done, the Executive Committee of this Association be requested to publish a separate edition of the paper and to distribute it carefully throughout the country.

Resolved, That the Executive Committee be requested to print and circulate in a cheap tract, the Report on "Pauperism in the City of New York," read May 22.

In future General Meetings it is proposed to follow more closely the practice, which experience has proved to be a good one, of the British Social Science Congresses. At these a week or more is devoted to the meetings, and in connection with the papers and debates various exhibitions, excursions, and public meetings are arranged, which bring together many persons not members of the Association, and give them, for the time at least, an intelligent interest in some of the topics of Social Science. One of the most useful of these adjuncts to the British Congresses has been, of late years, the "Sanitary and Educational Exhibition," of which we give below some account, in copying the announcement for Glasgow in the present year: —

Sanitary and Educational Exhibition, in Connection with the Social Science Congress, to be held at Glasgow, from the 30th of September to the 10th of October 1874.

The Third Exhibition of Sanitary, Educational, and Domestic Appliances in connection with the Congress of the National Association for the Promotion of Social Science, will take place from the 30th of September to the 10th of October next, in the Drill Hall, Burnbank, Glasgow. The success which attended the two previous exhibitions, namely, at Leeds, in 1871, and

Norwich, last year, encourages the Managing Committee to look forward to a very large and valuable display of scientific and useful appliances coming within the range of their operations. The object of the exhibition is to bring under the notice of the public generally, and particularly those who are interested in social, sanitary, and educational questions, the latest scientific appliances for improving the public health and promoting education. These will be classified under the following heads, viz.: —

I. Warming, Ventilation, and Lighting, which will comprise grates, stoves, flues, furnaces, boilers, hot-air and water processes of warming, systems of ventilation, lamps, gasaliers, jets, reflectors, etc.

II. Domestic Appliances and Economic Apparatus, to consist of stoves, ranges and ovens (heated with gas or otherwise), for roasting, baking, or boiling, etc., food manufacturing machines, culinary utensils, and articles of domestic utility and household economy.

III. Sanitary Architecture and Appliances, for outward and interior ornamentation including lavatories, baths, closets, filters, fountains, ornamental bricks, tiles, cements, concretes, slag, stoneware, and clayware.

IV. Sanitary Engineering and Disinfectants for all things connected with the supply of water, drain pipes, tubes, sinks, taps, traps, troughs, closets, urinals, filters, sewage and drainage contrivances, disinfectants, deodorants, antiseptics, etc.

V. Food and clothing, specimens of food and confectionery of all descriptions, condensed fluids, preserved meats, fruits, vegetables, and other articles of general consumption, beverages, and specimens of adulteration in various forms. Articles of dress and clothing best adapted for men, women, and children, in all weathers, beds and bedding for hospitals and tents, and belts and fittings for protection of life at sea.

VI. School Furniture and Educational Apparatus, comprising models, and plans of school buildings, school desks and furniture, gymnastics, maps, drawings, books, and other articles used in teaching.

These classes are intended to contain all sorts of utensils and appliances appertaining to the advancement of sanitary science, the improvement of health, and the promotion of education.

The management of the exhibition, as heretofore, will be under the superintendence of a committee. A small charge will be made for space and admission, to cover the cost of making the necessary arrangements and defraying the working expenses, and the whole will be undertaken, subject to the following regulations and conditions.

JAMES ROBINSON,
Secretary to the Managing Committee.

1 ADAM STREET, ADELPHI, LONDON,
June 1st, 1874.

Regulations and Conditions.

I. All articles must illustrate some sanitary, social, or educational improvement.

II. The Managing Committee reserve to themselves the right to accept or reject any article proposed for exhibition.

III. All articles named in the application for space must have their chief characteristics pointed out in a short statement.

IV. In the area of the articles for exhibition being approved, space will be at once allotted on the following scale of charges per square foot, viz. — 9d. for bench space; 6d. for floor space; 3d. for wall space. No space will be allotted for a less amount than 10s., and all charges must be paid at the time of allotment.

V. In special cases the Managing Committee may grant the use of space and benches free.

VI. All applications for space must be made to the Secretary to the Managing Committee, on or before the 19th of September.

VII. Articles, when approved by the Managing Committee, will be received on the 26th and 28th of September only.

VIII. Exhibitors are invited to describe, in person or otherwise, the particulars of the articles exhibited.

IX. Articles will be arranged in six classes, viz.: —

1. Warming, Ventilation, and Lighting.
2. Domestic Appliances and Economic Apparatus.
3. Sanitary Architecture and Appliances.
4. Sanitary Engineering and Disinfectants.
5. Food and Clothing.
6. School Furniture and Educational Apparatus.

X. Duplicates of bulky articles cannot be exhibited.

XI. To every article a label should be affixed, stating to what class the exhibit belongs, and, if for sale, the price thereof.

XII. Should any exhibited article be sold, the same shall not be removed until the exhibition closes.

XIII. Certificates of approval will be awarded by competent judges.

XIV. Notices will be placarded in the exhibition to the effect that no article should be handled or misplaced, unless personal examination is invited.

XV. The Committee will not be responsible for the safety of any articles exhibited, but will use every effort to protect them whilst under their charge.

XVI. The cost of conveying goods to and from the exhibition must be borne by the exhibitors themselves.

XVII. The carriage of all articles sent to the exhibition must be prepaid, and packages should be addressed to the Secretary of the Managing Committee, Drill Hall, Burnbank, Glasgow. Each package should bear the name and address of the sender as well as the consignee.

XVIII. The exhibition will open on Wednesday, September 30, and close on Saturday, October 10; and all articles exhibited must be cleared on the Monday or Tuesday following.

XIX. The exhibition will be open to the public on payment of an entrance fee of half-a-crown the first day; and of 6d. from nine to three o'clock, and 2d. from three to ten o'clock on other days.

XX. Catalogues will be sold at a small charge, and will be ready on the opening day.

OPENING ADDRESS.

By George William Curtis, Esq., of New York, President of the Association, Tuesday Evening, May 19, 1874.

Ladies and Gentlemen: My duty this evening is very simple and very pleasant, and, you will be glad to know, very brief, for it is to welcome you to the general meeting of the Social Science Association, and, as it were, to say a brief grace over the feast that is spread for you. And, upon your part, as you seat yourselves, you will doubtless say that you are very glad to come to a social science meeting, but that you would like very much to know what social science is. And I again should be very happy if I could answer your question in a word or in a phrase. If I say that by social science we mean the science of society, you will truly reply that I move without advancing; nor, indeed, could I assert that the relations of social phenomena, modified as they perpetually are by the human will, and by almost incalculable conditions, have been reduced to the laws of an exact science, or ever could be. But, undoubtedly, as Mr. Herbert Spencer says, so far as the phenomena of society can be generalized, and interpretation can be based upon this generalization, so far there can be science. The aims of this Society, however, are very practical. It seeks to build a platform upon which an honest and able inquiry can be conducted as to the best methods of advancing in every way the great interests of society. While solitary thinkers everywhere are studying and meditating the great problems of economy and trade and finance, sanitary questions, pauperism and crime, the progress of education, the amendment of laws, the extension of a loftier international comity, the improvement of political methods, and all similar themes, each student's research being a single ray of light, this Society would bring all those scattered rays to a focus, and so illuminate the path of national progress and true glory while in its degree it cheers mankind. All advance from barbarism to civilization is the development of social science. The spirit that seeks higher conditions of life and wider knowledge is its minister. Five hundred years ago, a wise and pious citizen of Florence observed that three times within his remembrance one of the church towers of the city had been struck by lightning, and he thought that he perceived that what was needed for a proper protection was to

place upon the summit of the tower a choice selection of holy relics. Four centuries later Dr. Franklin went out one afternoon, with his kite and key, in the face of a thunder-cloud, and solved the problem. That is the spirit of the student of social science. He is not satisfied with holy relics as a conductor of lightning, and would stimulate the public mind to work with kite and key in the face of the blackest clouds of tradition and ignorance, and solve the problems of the public well-being. But the Association has no other machinery than that which you will see during this meeting — suggestions and discussions by experts and special students. It is now nearly ten years old, and although its work has been very modest, it has enjoyed the sympathy and aid of many of the men most eminent in every branch of its inquiries, and its volumes of transactions, containing the papers that have been read at its meetings, are full of the results of the most advanced observation and thought upon the most important social topics. As an illustration of the subjects of its interest, I may cite one in which I have been myself deeply interested, the reform of the civil service. The Association in some of its earliest meetings, and by the warm urgency of my honored predecessor, Mr. Samuel Eliot, considered this subject, and it is an admirable illustration of the value of this platform. For, unlike the platforms of political parties, which have declared for it, this platform means upon that subject exactly what it says. It is a political subject, but it is in no sense partisan; it is especially patriotic. We have urged, and still urge, it upon the grounds both of the greater efficiency and economy of the service, and the purification of politics which must result. As the great political evil of the times is corruption, every good citizen is morally bound to consider the methods of withstanding it; and as no single practical measure would do so much to remedy that corruption by destroying its machinery and introducing better methods, the reform of the civil service is especially one of the subjects for the consideration of which this Association exists. But I am not to speak to you of these details. The work of social science in the United States will be the subject of a special report on Friday afternoon by Mr. F. B. Sanborn, the Secretary of the Society, a gentleman whose practical acquaintance with that work, and, especially, as former Secretary of the Massachusetts Board of Charities, with the great problem of modern corruption, pauperism, and crime, gives authority to every word that he says upon the subject.

While thus, ladies and gentlemen, I bid you the most cordial welcome to this meeting, and to every session of it, I cannot sit down without giving that greeting a tone of sadness by recalling our great co-laborer, first named among the Directors of the Society, full always

of the most zealous interest in its work — Professor AGASSIZ. Had he lived, I doubt not you would have seen him upon this platform this evening, and in that great genial presence how gladly should we have recognized one of the noblest specimens of manhood that this century has seen. Thirty years ago he came to this country, and while as a man of science he was a true citizen of the world, yet he chose America for his home. As Sir Isaac Newton said of Roger Coates, the young astronomer, when he came to Cambridge, "Now the world will know something," it might have been said of AGASSIZ when he came to us, "Now America will learn something!" And how much it learned! Not only in the direct lessons that he taught; not alone in the lecture-room, where, with the ever-young enthusiasm of science and the magnetism of a simple love of truth,

> "His look
> Drew audience and attention still as night
> Or Summer's noontide air."

Not in this way alone, but in his indifference to money-making and his consecration of great powers to great ends, what a lesson he taught of the essential glory of the intellectual life, showing to us, who would hardly have believed it, that a modest scholar and teacher with a heart as large as his brain and a hand as generous as his heart, could live his simple private life and go down to his grave with a national veneration and tender sorrow such as no king in history ever received. He was a teacher, and he teaches still. How well sings his friend and neighbor, Lowell, in that monody which Milton mourning Lycidas would not have disclaimed: —

> "We have not lost him all, he is not gone
> To the dumb herd of them that wholly die;
> The beauty of his better self lives on
> In minds he touched with fire, in many an eye
> He trained to truth's exact severity;
> He was a teacher — why be grieved for him
> Whose living word still stimulates the air?
> In endless file shall loving scholars come
> The glow of his transmitted torch to share,
> And trace his features with an eye less dim
> Than ours whose sense familiar wont makes numb."

THE WORK OF SOCIAL SCIENCE IN THE UNITED STATES.

A Report by F. B. Sanborn, General Secretary of the Association. Read May 22, 1874.

Among the adventures which Cervantes ascribes to his famous hero, the Knight of La Mancha, is an encounter with several chevaliers of industry on their way to the galleys, one of whom turns out to be an author. "What is the title of your book?" said the knight to Gines de Passamonte, the autobiographer. "The Life of Gines de Passamonte," was the reply. "And is it finished?" quoth Don Quixote. "How can it be finished?" answered he, "since my life is not yet finished." To report with any completeness on the work of Social Science in our country is more difficult than for a man to complete his own biography, since it is the life of the whole community which he is writing who undertakes to speak of Social Science; and before one event has been recorded a hundred others have taken place. But something may, perhaps, be said within the half hour allotted me to indicate some of the main features and later manifestations of American Social Science.

Do not expect me to define the phrase, however, even negatively, by stating what Social Science is not. I have never seen or heard of a person who could concisely define what it is we call social science, or state wherein it differs from other branches of human knowledge. It seems, indeed, to be neither a science nor an art, but a mingling of the two, or of fifty sciences and arts, which all find a place in it. Whatever concerns mankind in their social, rather than in their individual relations, belongs to this comprehensive abstraction, and social science shades off easily and imperceptibly into metaphysics on one side, philanthrophy on another, political economy on a third, and so round the whole circle of human inquiry. Pope advises us "to grasp the eel of science by the tail." Now to deal with a science so fleeting, so fluctuating, and Protean as this in a country like ours, where everything fluctuates and glides into every other thing, is to grasp the most elusive of eels by the most tantalizing of tails; it slips from our hold and defies all attempts to classify it.

And yet there is social science work to be done; so much of it that

nobody can either do it all or see whether it gets done or not. It is multifarious and endless, like woman's work, of which the saying runs,

> "Man's work lasts from sun to sun,
> But woman's work is never done."

Much of it is literally women's work, and is getting done by them more and more; but there is room enough for all sexes and ages in the field of social science. The harvest is plentiful, or will be, but the laborers are few, and we are seeking to engage more, both for seed-time and for harvest. It is one of our advantages in America that we can plant anew in virgin soil, and are free without effort from many of the weeds that choke the harvest in other countries. But this happy condition does not long continue, and there are already portions of the country where we have in abundance the evils of an old civilization, as well as the crudities and deficiencies of a new one. To avail ourselves of the experience of other countries, without imagining that it strictly applies to our own condition, is the first duty of an American student in social science.

In order to do this, of course we must know what our own condition is; and to those who have not had their attention drawn to the matter, it will be surprising to learn how little we know in America of the actual circumstances of the people. We make great parade from time to time, of the Census tables, the statistical reports from the Treasury Department, the Bureau of Agriculture, etc., and other professed exhibitions of our material condition; but it is only those who know least about the facts who are able to put much trust in these statistics. Even if we have all faith, and can assume them to be true at the time they were taken, the growth and change of the country is such that they are wholly inadequate and misleading a twelve-month afterward. Perhaps others have been more fortunate, but I have never yet seen a statement of the two great crops of the United States, cotton and breadstuffs, made six months after the harvest that seemed to be within ten per cent. of reasonable certainty; and I strove in vain for a year or two to get an estimate worth retaining of another great staple — the stock and increase of horses and cattle. Perhaps you will refer me to the Census tables; but then I should reply, as Sir Robert Walpole did about history, "That I know to be false." The census is "a fable agreed upon," which, again, was Napoleon's definition of history, and one which he did his best to prove just. An American census, in its best estate, is a combination of guesses and mistakes, elaborately computed and selected; and such it must remain until the law is so amended as to allow us to employ the means which experience has shown to be necessary in other countries. We have the satisfaction of knowing, however, that each successive ten years gives us better

guesses and more trustworthy computations, and in several particulars the national Census is still our best authority.

This is especially true in regard to the statistics of birth and death, the collection of which is even yet strangely neglected by most of the State governments, and carefully performed as yet by only five or six, — namely, in Massachusetts, Rhode Island, Connecticut, Vermont, and one or two of the Western States. Neither of the four greatest States — New York, Pennsylvania, Illinois, and Ohio — have as yet any useful State system of registration. The great cities of New York, Philadelphia, Chicago, and Cincinnati all have such a system, and furnish us valuable facts; and the same is true of some of the other large cities in these four States and elsewhere; but among more than half the population of the United States no systematic effort is made to record and report the number of births, deaths, or marriages taking place in a year. Consequently, even the meagre, contradictory, and misleading vital statistics gathered once in ten years by the Census Bureau at Washington become of some value in the absence of others; and the same may be said of many other portions of the decennial reports. But it should be the first effort of all students of social science to make these reports annual, as they are in some European countries, and to promote in each State the inquiries and statistical returns which alone can give a high value to the national census-taking and its published results. Every State should maintain a Statistical Bureau, and that of the nation should be permanent, instead of coming into existence for a few years at a time once in a decade. One of the best statisticians in the country, and perhaps I may say in the world, Dr. Edwin M. Snow, of Rhode Island, in giving reasons, a few years ago, for the creation of a permanent Bureau of General Statistics at Washington, said very truly: —

"The greatest defects in all our censuses have been owing to the want of knowledge and experience in those employed upon them. We are almost destitute of men in this country, except in three or four States, who are familiar with the practical duties required in taking a census. With a corps of clerks educated in the best methods of doing their duties, and with trained men to obtain the information, and by making use of local officers and other sources of information in different States, I am perfectly confident that a permanent census bureau could obtain all the information now obtained by a decennial census, except that relating to population, and could obtain it every year, with no greater expense than is now required to obtain it once in ten years. When such bureaus become general in all the States, the National Government will be able, with their assistance, to obtain all the statistics now obtained by the national census, and much more; far more frequently, far more correctly, and with much less expense."

Such bureaus have been established under various names in Maine,

Massachusetts, Connecticut, Pennsylvania, Ohio, Missouri, Minnesota, and probably in other States. They have accomplished little as yet, but the near approach of the centennial birthday of the Republic (July 4, 1876) is stimulating the States to make their statistics more complete and exact; and several of them will probably present during the year 1876 a fuller collection of facts of all kinds concerning their population, industries, and social statistics than has ever been seen in this country hitherto. The philosopher in "Gulliver" has given it for his opinion that "whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before, would deserve better of mankind, and do more essential service to his country, than the whole race of politicians put together." The same praise can be given in a smaller degree, perhaps, to the man who causes two facts to be known and put on record where but one was known before.

Next to the collection of facts comes the dissemination of principles and the practical application of them to the condition of things revealed by statistics. This is the more attractive work and the nobler; but it is less indispensable than the humbler task of the census-taker and the statistician. Rather, perhaps, should it be spoken of as more inevitable; for ideas can no more be avoided than can the change of seasons. But an idea in the wrong place, a notion out of its latitude, a principle inapplicable to the case in hand — these are quite as likely to be hurtful as helpful, while facts and dates never injured anybody undeservedly. Moreover, ideas may be crude and principles can be misunderstood or only half learned, and thence comes much of the mischief in the world; while statistics, however tasteless, can never be poisonous in themselves, it is only when misapplied by imperfect or perverted reasoning that they seem to do harm. Hence, I place as first and most important the collection of facts; next in order comes the combination and application of them. And upon this second branch of social science work, our association once received some most useful hints from a great man, now dead — the late HORACE GREELEY. At our Albany general meeting, in February, 1869, Mr. Greeley briefly addressed us in words that were then less regarded than they would be now. "The most urgent public need of to-day," he said, "is the careful preparation and cheap publication of a series of larger tracts, embodying all that is known beyond dispute in the domain of natural, intellectual, and moral science; concise but comprehensive treatises on distinct topics of practical consequence." Among these topics, Mr. Greeley enumerated, by way of illustration, ventilation, food, health, habitations, etc., and he closed his short address with a statement embodying his definition of Social Science, — perhaps as good as any we

have heard. After urging that a society should be found or formed "to provide and diffuse such summaries for popular use of elementary, physical, and moral truth," he added that this "would surely and signally conduce to the diffusion of knowledge, virtue, and happiness, — in other words, to the advancement of social science."

No one has yet undertaken precisely this work in America — akin to that which Lord Brougham, the father of the British Social Science Association, labored, along with Mrs. Somerville and others, to promote in Great Britain, forty or fifty years since, under the name of the "diffusion of useful knowledge." Fonblanque and the wits of that time insisted, after some unlucky publications, that Lord Brougham's true mission was either the "confusion of useful knowledge," or the "diffusion of useless knowledge," thus pointing out two of the risks which such an undertaking must encounter. But whatever the risks are, it is one of the most needed functions of social science in America now to perform this work attempted by Brougham and recommended by Greeley. The newspaper can do much in this way, and actually does it, but under some limitations and with some perversions which it is possible to avoid. Probably no one agency in America ever did so much in this way, from 1841 to 1872, as Mr. Greeley's own newspaper; but that did not satisfy its founder, as we saw at Albany. To some extent before 1869, and in a greater degree since, work of this sort has been essayed by public boards of health, charities, education, and the like. The Massachusetts Board of Health, which made its first report in 1870, has devoted five annual volumes to enlightening the public on sanitary topics, and exists mainly for that purpose; the California, Minnesota, and Michigan Boards of Health, in a somewhat different manner, are doing the same thing; the recently appointed Sanitary Commission of New Jersey aims at something of the sort; while the new and vigorous American Public Health Association is engaged in combining the intelligence and activity of sanitarians in all parts of the country in the work of investigating and making public matters of special interest. The ten existing State boards of charities (not all called by that name) publish reports yearly or biennially upon their special topics, some of which — as in New York, Pennsylvania, Illinois, Wisconsin, and Massachusetts — have a value beyond the State in which they are prepared. In summoning conferences of these official boards to be held in connection with our general meeting, the Association hoped to bring together and unite more closely, for research and practical administration, these organizations which exist for the same general purpose. This hope has been amply justified by the sessions of Wednesday and Thursday, which are to be followed hereafter by other conferences, and by united action, so far as that shall be found practi-

cable. In the Wednesday's conference we had delegates or letters of coöperation from seven of the ten boards of State charities now existing, namely: from New York, Pennsylvania, Massachusetts, Connecticut, Michigan, Wisconsin, and Kansas; and but for the presence of some of these boards at the recent Prison Congress in St. Louis, we should doubtless have seen other States represented. The appointment of committees for future work, and the discussions concerning the insane, the laws of pauper settlement, and the prevention of pauperism, will indicate in part what was done at this conference.

The conference of health boards convened in this Hall yesterday and to-day was invited from similar motives, and has resulted in bringing these important bodies, now rapidly increasing in number and efficiency, into better acquaintance with each other. Methods have been discussed, plans of organization and administration proposed, and the way opened for a more methodical and uniform system of sanitary supervision and vital registration to be introduced and commended to the whole country. Gentlemen representing boards of health in New York, Massachusetts, New Jersey, and Maryland have been present, and each State has contributed its share of information and suggestion. To-day these boards have been in conference also with members of the State boards of charities, the duties of the two organizations often lying parallel, or even intermingling with each other. For example, the California Board of Health exercises a supervision over the State prisons and other public establishments of California; the same, I believe, is the case in Minnesota, and the same arrangement has been proposed, though not yet adopted, in Maryland.

There are other organizations, special or general in their character, with which our Association is coöperating, so far as practicable; and among these has already been named one of the most recent, — the American Public Health Association, — whose sessions in this city last winter attracted so much notice, and drew out so many able papers and discussions on sanitary topics. An older body of medical men, working in a specialty, which, however, is of universal interest and concern, the American Association of Medical Superintendents of Insane Asylums, includes among its members several of our own number, two or three of whom have met with us here, and more would have done so but for the meeting of their annual conference at Nashville this week.

The National Prison Association, which may be regarded as an offshoot from our own, since it was founded by several of our active members, is engaged in another phase of social science work. It both collects information and promulgates principles, and by its proceedings at Cincinnati, Baltimore, and, last week, at St. Louis, it has exerted a considerable influence in favor of a reform of prison discipline and of criminal

law. We had the pleasure yesterday of welcoming its founder and Secretary (Dr. Wines) to our sessions here. Periodical conventions, like those held by the instructors of the blind, of deaf mutes, etc., are likewise laboring in the same general direction with ourselves, and of late years with increased activity. It has been one of the cherished purposes of our own Association to maintain relations of friendship and mutual assistance with all these special organizations, so far as they will permit us to do so.

It is the practical application of social science, however, which necessarily interests the largest number of our countrymen; and the examples of this are numberless. In every State, and in all parts of the same State, social science work is done by philanthropic men and women, many of whom would be surprised or amused if you told them they were "promoting social science." Like the Frenchman who had been talking prose all his life without suspecting it, they have served the cause of social science while indulging the luxury or performing the thankless tasks of public benevolence. Perhaps the best example of this is one of the most recent — the formation of Training Schools for Nurses in this city, in Boston, Philadelphia, and New Haven, which has been the work of a few ladies in these cities during the year 1873. The enterprise was novel, the difficulties have been great, and are not yet wholly overcome; but a beginning has been made, and now at least fifty women are training themselves by experience as nurses in great hospitals to carry on that profession skillfully in after life. Another work in which women have had a great share has been the improved instruction of deaf mutes by means of articulation, something almost unknown in America eight years ago, when our Association first discussed it, while now there are three or four large schools teaching exclusively in that way, and more than 500 pupils in the whole country who benefit by it. A kindred measure in aid of the blind is that for cheap and improved printing in the raised alphabet, which has been lately brought to the notice of our Association by Mr. Stephen P. Ruggles, an inventor and practical printer, who offers to establish and maintain a printing-house for the blind at his own expense. A committee of the Association, of which President Eliot, of Harvard University, is a member, is now considering the feasibility of putting the plan in operation at Boston. Other practical measures which might be mentioned, are the establishment of special prisons for women in Indiana and Massachusetts; co-operative building companies for enabling the poor to build and own their own homes, which our former Vice-President, Mr. Quincy, of Boston, has shown to be easily done; establishments for the care of foundling and deserted infants, the prevention of pauperism by furnishing the poor with employment, etc. On some of these matters you have

heard or will hear others speak. You will also have the pleasure of listening this afternoon to a gentleman, the worthy son of a most honored father, Dr. Gallaudet, of Washington, who has devoted himself for years to the higher instruction of deaf mutes, as his father, Dr. Gallaudet, of Hartford, did, sixty years ago, to their primary instruction. And in this connection permit me to say that one of the humbler and most neglected tasks of social science, the accurate enumeration of defective classes, like the deaf mutes, the insane, etc., has been carried on from time to time by some of our members. Dr. Jarvis, of Massachusetts; Mr. F. H. Wines, of Illinois, and others, have made a special enumeration of the insane in particular localities; and I have myself undertaken to do so in regard to the deaf mutes of Massachusetts. The United States census of 1870 gives the number of this class as only 538 in that State; but I hold in my hand a list giving the names, residences, and ages of more than 1,100, which has been verified by the town clerks and other well-informed persons in more than 200 cities and towns. Nor is there any reason to doubt that the actual number now residing in Massachusetts is at least 1,300. It is very desirable that special enumerations akin to these should be made in other States, and I believe it has been done, with a like result, in New Jersey and perhaps elsewhere.

In other directions there is much to be done. In improving education, from the ragged school and the half-time class to the most ambitious university course, and especially in providing for better education in art and in the handicrafts, a wide field is opened, and our Association has begun to cultivate it. In the reform of laws and the more systematic study of jurisprudence, in the teaching of elementary principles of finance, in the establishment of an honest and intelligent civil service, both in the National and the State governments; in the movement to give full occupation to the aspirations and capacities of women, in the invention and extension of life-saving and labor-saving machinery, and the application of science to our whole social condition, there is scope enough, not only for our members, counted by hundreds, but for the hundreds of thousands whom the Christian Association, in whose hall we meet, rallies and trains in all parts of the country for its noble and beneficent tasks. In emulation of these young workers, who have put forth branches in all the States, our Association has lately provided a plan by which its work can be localized, and at the same time centralized.

We already have branch associations in Philadelphia, New Haven, Detroit, St. Louis, and San Francisco, and others are forming in Wisconsin, Iowa, Texas, and other States. The Vice-President of the Michigan Association, Judge Brown, of Detroit, will have something to say concerning this subject.

In this infinite variety of need and opportunity for research and for practical work, the special place of the American Social Science Association is that of uniting all and communicating with all who may be willing to do so. It does not assume to direct, scarcely to advise or recommend, but to bring those who are striving for the same end into friendly relations with each other, and to furnish a common centre from which influence may radiate, and in which union may be found. Our methods are simple: the holding of meetings like this, or of smaller department meetings, the publication of a journal, the distribution of our own publications and those of other organizations, and the maintenance of correspondence with all parts of the civilized world. Our conditions of membership are also simple, the payment of an annual fee of five dollars being the pecuniary condition. It is our hope to enroll many new members among those who have attended our sessions, or read the admirable reports of them in the daily newspapers.

I notice that one of these journals speaks of a social science meeting like this as "a clumsy contrivance." So it is; but even a journalist may well remind himself that we live in a fallible and imperfect world — we "have this treasure in earthen vessels." It has been asserted on the best English authority, that "the times are out of joint;" there are spots on the sun, and old Alphonso of Castile declared that if he had been consulted at the time, he could have given some useful hints to the Maker of the World. A Persian poet, who, if living in our day, would have been an editor, went further and offered to "break up the tiresome roof of heaven into new forms." We are not so aspiring; we are a little old-fashioned, in fact. What has been good enough for the world in the last 3,000 years — this clumsy contrivance of public addresses and debates has hitherto been good enough for us. Like our forefathers, the early settlers of New England, who resolved thus, "That we will govern our plantations by the law of God until we have time to frame a better for ourselves," we are likely for some years to go on as we have begun. But we are open to conviction, and welcome advice from all sources; partly because we are giving so much, and it is but fair play to take our own coin at our own counter.

But the subjects which interest us, members of the Association, may well recall me to more serious thoughts. They relate to the highest concerns of mankind, or to those sufferings of humanity which appeal to our deepest compassion. In the tragedy lately enacted along the banks of a quiet stream in my own State, we may see not only the all-dispensing hand of Heaven, whose decrees are unchangeable, but the penalty of human carelessness and incapacity visited, as the law of God determines, upon the innocent as well as the culpable. Out of their calamity the dwellers of the Mill River Valley mutely appeal to the students of

social science for the prevention of such misfortunes to other communities. "May the gods forbid," said the poor man to the ancient king, "that your fortune should ever be such as to make your knowledge of these matters greater than mine." And it is for the service of men that science exists. The father of modern science, in a passage where the magnificence of the language contrasts nobly with the pious humility of the thought, has given utterance to this sentiment and to a higher sentiment.

"For men have entered into a desire of learning and science," says Lord Bacon, "sometimes for ornament and reputation, and sometimes to enable them for victory of wit and contradiction, and most times for lucre and profession; as if there were sought in knowledge a couch whereupon rest a searching and restless spirit; or a terrace for a wandering and variable mind to walk up and down with a fair prospect; or a tower of state for a proud mind to raise itself upon; or a fort or commanding ground for strife and contention; or a shop for profit or sale, and not to a rich store-house for the glory of the Creator and the relief of man's estate. But evermore it must be remembered that the least part of knowledge passed to man by this so large a charter from God must be subject to that use for which God hath granted it." Unless social science works in this humble and religious spirit, all its labors are vain.

FINANCIAL ADMINISTRATION

A Paper by G. Bradford, Esq. of Boston.
Read Tuesday Evening, May 19, 1874.

I do not purpose, on this occasion, to dwell upon the infinite evils and disgrace of irredeemable paper money; nor to add one to, or enforce any one of the numerous expedients which, *à priori*, are to lead us gently back to specie payments. All of these, so far as they are worthy of a moment's attention, involve contraction, their variety consisting in the method of performing that operation without pain. I have no faith in the efficacy of any such anæsthetics. The first issue of Government legal tender notes came upon a country more in need of, and more fitted to render available a national paper money than any in the history of the world. It was like irrigation upon a desert, causing the wilderness, even in that terrible time of civil war, to blossom like the rose. But the gentle stream which fertilizes may become the roaring torrent to destroy. The wanton and excessive issues of greenbacks forced prosperity on to wild speculation. So much of the war account as could be settled with blood was promptly met, but the financial sacrifice has never been encountered, and writhe and struggle as we may, we cannot escape it. Mr. McCulloch's first attempt at contraction produced the inevitable stringency, but Congress stopped the work as if such a result was not to be thought of. The panic last fall was a foretaste, and it is to be feared but a foretaste, of a stern process to be gone through, but instead of the acceptance of the lesson, it was made the pretext for a cowardly retreat to further inflation.

It by no means appears, however, that the latter is in accordance with the sober sense of the country. We hear, in general terms, of certain sections being in favor of inflation, but from the commercial bodies in all the large cities protests have poured in, while almost all the leading newspapers in all sections, though agreeing in hardly anything else, join in denouncing further issues of paper. It is to be remembered also that thousands of individuals who could and would adjust their business arrangements to meet any active measures tending certainly to specie payments, have, in fact, based them upon the evident leaning of Congress toward further inflation. The fact is, that in spite of the public demonstrations referred to the House of

Representatives, by a vote of more than two thirds did authorize the increase of forty-four millions of greenbacks; and that the Senate, upon which the hope of conservatism rested, not only confirmed this, but of its own motion added an amount of forty-six millions of bank circulation. It is true that the President, to his infinite honor, vetoed the bill, but it is an instructive comment on what I shall have presently to say, to remark how completely the whole power, even without forcing the President by a two thirds vote, is in the hands of the House of Representatives. Without increased taxes, or the power to make a loan, it is quite possible that the Treasury may have no other resource for money than the remainder of the so-called reserve; and a mere majority of the House can effectually block both of those expedients. A rider to the Appropriation Bills is also a well-known method of accomplishing doubtful ends. An appeal to the country is, of course, the ultimate resort, and an association is forming to influence extensively public opinion. I think it will be admitted, however, that enlightened public opinion is not purely the basis of election to Congress. The caucus manipulation, and the office-trading which have so largely returned our present rulers, are not likely to remain inactive in the future.

While presenting this dark picture, I pause for one consoling reflection. It is said, and I believe with truth, that no nation has ever resorted to an inconvertible currency without ultimate, at least partial repudiation. But then no other nation has ever had recourse to this expedient till its credit was exhausted and the inability to borrow left no other alternative. Our case was the exact reverse of this. History will record with wonder that the United States adopted, or at least persevered in, this ruinous policy from simple reluctance to sell a six per cent. bond below par. There has never been a moment since the war when our Government could not have funded any amount of greenbacks necessary for a return to specie payments by the sale of bonds, at what, with reference to the commercial standard of the country, may be called very reasonable rates. That this operation will be ultimately submitted to, we refuse to doubt, but to what extent the contraction must be carried, and with how much of disaster to individuals, must depend on the degree of efficiency and intelligence in administration. The ship will weather the storm, but whether she comes into port dismasted, dismantled, and reduced to a hulk, or with the loss only of a few light sails and spars, will depend upon the seamanship, the strength and steadiness of the hand at the helm. Of course, I do not refer to any permanent destruction of the wealth of the country, but to the question whether thousands or hundreds of individual fortunes shall be wrecked and families beggared.

The inquiry of first importance is, why the Government responds so little to the demands of the conservatism and intelligence of the country? Why the Treasury passes from one incompetent hand to another, with apparently a downward progression? The answer will not, I think, be far to seek, when we have compared our actual condition with the real requirements of efficient administration.

First among these requirements we shall find *unity*. When the item of expenditure is placed in hands different from and independent of those which have to provide the means for that expenditure, the result, as the domestic economy in thousands of families could bear witness, is confusion and disaster. Our Government expenditure is mainly in the hands of a Committee on Appropriations; the revenue in those of the Committee of Ways and Means. When last fall the deficit of revenue threatened to become important, an effort was made to reduce expenditure. But the committee in charge of that department have a direct and positive interest in maintaining their estimates, while they have little or none in the question of ways and means. Very little was therefore accomplished in that direction The combined results of the labors of both committees come into the hands of the Secretary of the Treasury, who has to cut his coat according to his cloth, having had no voice and very little influence in either of the vital elements of his administration. Is it not evident that in proportion as the adjustment of these two elements becomes more and more difficult, the officials, who, having such slight control over them are yet willing to accept the responsibility of being the nominal head of the Treasury, must of necessity be constantly declining in financial knowledge and skill?

Again, the question of finance, which should be treated by itself, is frequently complicated with political issues. Both Secretaries Boutwell and Richardson had committed acts entirely illegal in issuing legal tender notes in excess of the amount authorized by law. If Congress enforced a return to three hundred and fifty-six millions they would distinctly render a verdict of "Guilty," without any means of inflicting punishment, except the extreme one of impeachment, and a damaging party scandal would have resulted. A limitation of the increase to the twenty-six millions which had already been paid out was too transparent compounding with felony. It would be interesting to know how far this motive was mingled with the pure desire for inflation.

To illustrate the idea of unity we will refer to the English practice. Sir Stafford Northcote has recently assumed the Chancellorship of the Exchequer. Deputations from the brewers, the farmers, the railways, etc., wait upon him, and present their claims for relief from taxation.

He hears all, states what he will, and what he will not do, and gives his reasons. In short he treats the finances as if they were his own private purse, the principle being distinctly recognized by the press and the country that if any man is to be responsible for this department he must have entire control of it. In like manner the estimates of all the heads of departments have to come before him. And after the budget he has thus prepared has passed Parliament, he is bound in the certainty of sharp revision by that tribunal at its next session, to follow up closely both collection and disbursement. The consideration which our Secretary of the Treasury enjoys is, I believe, mainly confined to his underlings in office. But there is a very active lobbying by the heads of departments with the Committee on Appropriations, and by the respective parties in interest with the Committees of Ways and Means, on Commerce, Manufactures, Banks, Railways, etc., etc. And if there is not very active trading constantly in progress among these conflicting authorities, both current rumor and the probabilities of the case are extremely at fault.

Second only, if second, in importance to unity of administration, and dependent upon it, is *continuity*. In 1840, the English finances were in great confusion. There was a considerable annual deficit, the tariff was in a worse state than ours at present, and almost the whole income from it was spent in contending with smugglers and revenue frauds. Sir Robert Peel took the reins, and applying the income tax to furnish a margin for experiments, commenced that series of reforms, which by himself and his successor, Mr. Gladstone, have been extended over thirty years with such remarkable results. When interrupted by occasional Tory ascendency, as at the time of the Crimean war, the regular progress has been resumed on the return of the Liberal party to power. Our committees are as shifting as the sands of the sea. Such pure abstractions are they, so stripped of all individuality, that probably not one citizen in a thousand could name a half dozen members of Congress with the committees on which they serve. Even where one man has acquired a prescriptive right to a position, as Mr. Dawes on the Committee of Ways and Means, his individuality is lost, not only among his colleagues, but in the demands and conflicting jurisdiction of other committees. Moreover, the aim of the committees is much less to produce practicable measures than to suit the temper of the Houses, failing in which they would soon find themselves without any function whatever. Any one who has followed the recent currency debates, or rather votes, both in the Senate and the House, will have perceived of how little avail are the lessons of experience or any established principles in controlling the passions of the moment. In such hopelessness, as regards any continuous or systematic action,

many persons advocate a repeal of the Legal Tender Act, a measure, which if passed and made operative would cause suffering, distress, and demoralization among individuals not inferior in total amount (I wish to speak soberly), to what would result from the march from Maine to New Orleans of a hostile army of a half million of men. Others, again, wish — and this is the most popular specific — to get some great measure launched, which by its increasing momentum and in spite of subsequent tampering, shall drag us back to specie payment. A sound currency can never be reached by any such process. It must result, if ever it does come, from a long course of persistent tacking and beating against a head wind, with a clear cool brain and a steady hand to take advantage of every flaw and shift of wind and tide.

Next in order of statement, for I can make no gradation as to importance, is *publicity*. The most casual reader of English history will associate the name of Robert Walpole with a period of almost unlimited corruption in Parliament. A writer upon that period quotes as one of the strangest things to modern ears that it was forbidden under heavy penalties to report any speech or proceeding in Parliament. At present, as we know, almost every word of importance there is reported for the "Times," and it might be easily demonstrated that from this practice has directly resulted an official purity unsurpassed in ancient or modern times — a class of men whose honor is above suspicion. I should like, if time would permit, to compare two of the recent English "scandals," the postal telegraph expenditure and the Zanzibar contract, with our Sanborn and Jayne contracts and the District of Columbia investigation. It will be said that our Congressional proceedings are equally reported, but then they have no meaning. Everybody laughs at bunkum speeches and their delivery to empty benches. The actual business is done in the secrecy of the committee rooms, under pressure and from motives which the public never see. No measure can be even discussed in Congress till it has received the sanction of such a committee and the majority of the Houses are ready with the gag to secure the success of corresponding majorities in committee. When I alluded to this topic in conversation with a respectable resident of Washington, he turned quickly round with the remark, "The Government of Venice under the Council of Ten was not more secret than is that of the United States in its real working." From this cause and another, to be presently noticed, measures are constantly passed without any efficient criticism, and Congress is constantly occupied in investigating past frauds and outrages which are their natural fruit. The Credit Mobilier affair, the "Moieties" contracts, the District of Columbia frauds, might all have been obviated by a little foresight enforced in public debate by a keen

and vigorous opposition, instead of being subsequently overhauled with little effect other than to bring the whole Government into contempt. Now, in financial measures, involving such vast weal or woe to the country, it is of the greatest importance that everything possible should be known in advance, and that their effect should be watched at every step with the most prescient scrutiny. We cannot afford a series of reckless experiments, of each of which the futility must be demonstrated by a disastrous explosion. Congress recently passed a bill of which the avowed purpose was inflation. Yet the most experienced bankers are of opinion that if finally passed and enforced it would have caused contraction and panic not less than that of last fall. Is it surprising that commerce is paralyzed with terror at the risk of such legislation?

Connected with publicity, as its twin sister, is responsibility, which may be called the keystone of free institutions. It is an error to regard absolute power as the great evil of government. It will hardly be questioned that the best of all governments would be a perfectly wise and perfectly virtuous despotism. The substitute for those qualities, unattainable in human institutions, is enforced responsibility to public opinion, that is, to those in whose behalf power should be exercised. Extensive powers of administration with sharp and speedy responsibility for results, these will be found to be the elements of success in any enterprise, public or private. Our ancestors, meaning not merely those who framed our Constitution, but those who put it in practical operation, were filled with a morbid dread of executive power. They hedged it about with every possible check and limitation till for all honest and good purposes it became the shadow of a name. But they seem not to have perceived, what time has demonstrated for us, that they thereby lost all direct responsibility. Let us follow the course of a Government measure. A proposal by any individual is referred to a committee. The committee makes a report to the House. When passed by the House it goes to the Senate, or *vice versa*. And finally, the Executive must do what work it can with tools which it did not choose and of which it may not approve. When failures in Government result from all this, who is responsible? and who is to enforce responsibility? To the last question it may be replied, public opinion. But the absence of an answer to the first, places public opinion completely at fault. Again, public opinion only speaks at the intervals of election, and even if election went by public service, failure to secure it involves no disgrace, contains nothing of punishment. The enforcement of responsibility should be both prompt and punitory. We will take one or two instances. In refunding the public debt Mr. Boutwell was limited by law to an expenditure of one half per cent. By over-

lapping the interest he did expend more than twice that amount. Not so much as an inquiry can be made of the Secretary without a majority vote of one of the Houses, and an attempt at censure was promptly suppressed by a party vote declaring, not that Mr. Boutwell was justified by circumstances in violating the law, but that he *had not* violated it. It was not to be wondered at that, with this impunity, the next step on Mr. Boutwell's part should have been an issue of legal tender notes beyond the amount authorized by law. The excess was withdrawn, however, and Congress simply ignored the transaction. Proceeding in regular course and acting upon the precedent, his successor not only issued a far larger amount, but kept them afloat till Congress assembled. The only action of that body thus far has been, without taking any positive notice of the conduct of the Secretary, to add more than the amount of the overissues to the lawful maximum of legal tenders. Are future Secretaries to be thus free to anticipate the will of Congress? For a suitable comparison with the Sanborn and Jayne contracts we should need to go back to the farmers of the revenue under Louis XIV. and XV. of France. But, while a rigid responsibility would have brought the Secretary to account in the very inception of these contracts, now, after the foul history of their results has been dragged to light, it seems doubtful whether anything more than a discontinuance, if so much, can be brought about. The truth is, neither the agents nor the Secretary were any more to blame than Congress itself. It is impossible to fix responsibility anywhere. But by and by, when some chain of operations by a disciple of Tweed explodes at Washington, we shall hold up our hands at the depravity of the age. If the testimony before the Committees and the charges made in Congress are to be believed, there is in the Treasury Department, to say the least, a looseness of management which renders any amount of disaster credible. But instead of a steady and definite pressure upon official responsibility, there is no way of reaching the evil except by investigation and exposure, which, while they would make public the details and injure party ascendency, would by no means afford a guaranty for improvement.

A fifth point to be urged, and none the less important that it seems never to be thought of, is that the nation, as a whole, is not represented in Congress. Every man who has a voice there is the representative of a State or District. He has little or nothing to expect from the nation. His direct interest is wholly with his constituents. Is it not inevitable that he will attend to their interests, and especially to those of the individuals who have been active in securing his election? What motive has a member to devote himself to the interest of the nation? He is sure to incur the hostility of the special interests

which he opposes; he can gain little of national reputation, and what he does will avail him nothing. The languid approbation of the best men in his own district will soon leave him in the rear, as compared with the active promoter of its special wants. Now, if there is one thing indispensable to a proper management of the finances, it is their treatment from a national point of view. The motive force of inflation, as well as of a bad tariff, is the interest, real or fancied, of local dealers and speculators. It is the vast mass of the people whose interest lies in a return to specie payments at any cost. We cry out against special legislation, while we deliberately foster an arrangement which makes it almost the sole object of the Government.

The sixth and last consideration upon which I shall insist is the want of individual talent and technical skill. The low standard of intellect and ability among our public men is a matter of common remark. I think a more just statement would be that talent finds so much difficulty in asserting itself, but the result, perhaps, is the same. We look back to the early statesmen, the Washingtons, Jeffersons, Adamses, Madisons, Hamiltons; we see about us the most brilliant examples of success in literature, science, commerce, and the arts, and we ask ourselves, Why has intellect deserted public life alone? The truth is, the men are just what the system makes them. A second generation of great men did indeed share the delusion that there were prizes to be gained by honorable public service. Webster, Clay, Calhoun, renounced flattering professional prospects in the hope of securing what should be, in spite of the taint that has come upon it, a most worthy object of ambition, political preferment. They died disappointed and broken-hearted, while the first honors of the Republic went to a Tyler, a Pierce, a Buchanan. And thus under the present system it must continue to be. Follow once more the course of any Government measure. Three hundred members of the House (and if in the Senate the numbers are smaller, the principle is the same) have a precisely equal right to introduce a bill upon any subject. Of course the crude mass must be thrown into the caldron of the committees, and the resultant appears, not even as the work of the chairman, but of an abstraction, the majority of a committee. Sometimes, for the sake of distinction, a bill is known by the name of the member introducing it, but that ceases with its passage. Thenceforth it is the Senate bill or the House bill. Of course the executive officer can impress no individuality upon measures thus forced upon him ready made, the more so as he has no voice of explanation, or defence, or protest before the country. The number of generals who have filled the presidential chair has been often remarked upon. It is not, I believe, at all owing to any preference upon the part of our people for

military men, but simply because the army is the one department of the public service where men have a continuous opportunity of creating a reputation. Given a statesmen who occupied in the eyes of the nation the position which the late Charles Sumner held before the people of Massachusetts, and does any one doubt his strength as compared with any soldier? One of our most crying needs is a training ground to develop, and a battle-field to display statesmen, or in view of my present subject, I should say financiers, before the public eye.

We have thus passed in review certain fundamental conditions which, apart from any theories or specific measures of finance are essential to grappling successfully with the difficulties which are just opening before us; namely, unity, continuity, publicity, responsibility, national representation, individual talent and skill. The obvious question arises, how are these to be secured? The key to the whole problem, the base upon which the whole structure must be raised, seems to me to be this: the conversion of the nominal into the real head of the finances, the admission of the Secretary of the Treasury to the floor of Congress with the right and duty of taking part in debate, and subjection to what the French call interpellation.

The objections to this step may be classed under two heads: its inadequacy to accomplish the ends proposed, and the impossibility under the present form and organization of our government of putting it in practice. I wish the objections of the second part could be as easily refuted as the first. "This," says a modern writer in speaking of the relation of the Cabinet to Parliament, "may seem but a dry and small matter to be the latent essence and effectual secret of the English Constitution." In the first place it would be the duty of the Secretary, after receiving the estimates of all the Heads of Departments, and after carefully weighing all the items of receipt and expenditure, to prepare a balance sheet of both (if we choose to discard the English word budget), and to indicate in the fullest and clearest manner, whether, in the case of a deficit, policy requires an increase of revenue or economy of expenditure, instead of leaving this to a struggle of separate committees. Of course every member of the House might propose an amendment, but it would be for the Secretary to accept or reject these. If, in the latter case, the House should insist upon forcing upon him an important modification of his views, he would of course be obliged to resign under conditions presently to be considered. It is unity thus obtained which often enables a British Chancellor of the Exchequer to dispose, a year in advance, of a surplus of two millions or less upon an expenditure of three hundred and fifty.

And the case is no less strong as regards continuity. As the Secretary would be under the necessity of making his plans, both as to

theory and practice, acceptable to Congress and the whole country, he must make himself familiar both with our own past experience and all other history of the science, and be able to show his consistency with principles; and every new incumbent must be able to take up the sequence and justify his departure, if any, from previous administrations. Theory and practice would go hand in hand, and be a mutual check upon each other.

Publicity would be secured by limiting debate to the one plan in hand. Instead of a chaos of conflicting propositions, involving a reference to committees; instead of a wild beating of the air in a struggle to decide between fifty different plans, the question would be, Is a certain definite plan suited to accomplish the end aimed at or not? and all argument would revolve about this. Again, the process of incubation in committees often takes all winter and results in that disgraceful hurry and rush with which a mass of bills is put through without debate at the end of the session. Under the other arrangement the Secretary would be bound to be ready, with his plans fully matured, at the beginning of the session, and would have an interest in forcing on the debate. If there was delay the public would know who caused it and what were his motives. Once more, the business of Congress is a struggle of minority with majority, the latter ruling by brute force. A minority cannot cross-question a majority, cannot oblige it to answer, may find its expostulations and arguments met, as in the case of the late inflation bill, by a silent vote. But an individual, with never so strong a majority at his back, cannot escape so. The taunts, sarcasms, and insinuations of opposition would destroy any man before the country who should endure them unmoved.

But the great and inestimable gain would be in responsibility. The Secretary having thus supreme control of theory and practice of plan and execution, there would be no shifting the burden to other shoulders and letting it drop in the process. Congress would fill the functions of real representatives of the people, not in the way of reckless and arbitrary and irresponsible legislation, but in watchful supervision of the responsible governing agents and in holding them to a swift and certain accountability.

The advantages of national representation need hardly be dwelt upon. It is true that the cabinet officers are not chosen by the nation, but the President who appoints them is. At present, the Executive, though he may furnish Congress with advice, has no direct communication with his constituents. The only hope of reëlection for an incumbent is to keep on good terms with the Congressional majority. He must so distribute the loaves and fishes of office as to secure a body of adherents who will put the necessary work into their respect-

ive States and Districts. A new candidate, to be available, must be pledged, up to his eyes, in the partition of spoils. But if a President could put into the Treasury Department a man or series of men who would lead the country steadily towards specie payments; into the State Department men who would reform the diplomatic service and raise the standing of the country abroad, and so on through all the departments; could not such a man overleap all caucuses and politicians direct to the heart of the country? How much had such agencies to do with the first election of General Grant?

Finally, the new method would furnish a test of individual skill. Where is there at present any financial reputation to guide the President in his choice of a Secretary? The mortifying failure of President Grant in his attempt to appoint a leading merchant of this city was enough to drive him back in disgust into the ruts of politics. The conflict of Congressional debate would soon furnish material for choice. If a champion wrestler or billiard player were wanted, would not the natural and simple method be to invite competition upon a public arena? And why not resort to the same process for a champion of the Treasury? It may be said that our recent Secretaries could not sustain such a conflict. For that very reason the career of such a Secretary would be speedily brought to a close, while by a process of natural selection the strongest of his competitors would fight his way to the position.

I have passed rapidly over these considerations which few candid or thoughtful persons would be inclined to dispute, to come to the second class of objections. Is it possible, under our present system, to bring about such a change? A constitutional amendment is hardly feasible in a matter which is largely tentative, and must proceed, as it were, step by step. Fortunately, no such amendment is needed. It is not proposed to make the cabinet officers *members* of the Houses, a term which implies a vote. When Alexander Hamilton had prepared, at the request of the first Congress, a report upon the finances, he sent to inquire whether they would have it orally or in writing. After a debate which turned wholly upon expediency, the latter was decided upon, and this, apparently an accident, but in reality a direct result of the grasping ambition of the legislature, established the state of things which exists to-day.

It is said, and this argument is chiefly urged by the English, that under our fixed terms of election, the executive ministry cannot resign in case of an adverse majority. But a confessed evil in the English system is, that in case of a ministerial defeat in one branch of administration, a revolution must take place in every department. Our President cannot, of course, resign, but he can change his cabinet

officers one by one. The English Premier is but one in a body of equals, and can have no authority over the others. Our President is the centre of all administration, and is to be judged once in four years by its collective result. Again, it is said that a defeated ministry must have the power of appeal to the country by a dissolution, which is also impossible with our fixed terms. This objection is met by the shortness of those terms. If the President was disposed to support a Secretary against Congress, it might be possible to drop a particular question or postpone it till just before a Congressional election, and then bring the merits of the contestants fairly before the people.

The Constitution of the Swiss Confederation furnishes a case in point. The governing bodies are a National Council, elected by the people, like our House, and a Council of the States elected by the Cantons, like our Senate, and both for fixed terms. These two bodies elect, in joint convention, a Federal Council of seven members also for a definite term of three years, the last-named Council choosing a President and Vice-President among themselves, and constituting the Executive body. By the Constitution the members of the Executive cannot be members of the legislative bodies, and they have no power of dissolution. Yet the Constitution contains two clauses, as follows: —

1. The members of the Federal Council have a consultative voice in the two sections of the Federal Assembly, as well as the right of submitting to them propositions upon the subjects under consideration.

2. The Federal Council administers the finances of the Confederation, proposes the budget, and renders the accounts of the receipts and expenses.

The great objection to the change which is always urged on behalf of Congress is, that it would give undue influence to the Executive. It would, however, substitute an influence open and responsible to public opinion, for one secret and irresponsible through the lobby and the distribution of offices. It would substitute the interest of the nation for the interest of members of Congress and their followers. And this brings us face to face with the one grand obstacle. The others are all matters of detail, and I have too much confidence in Yankee ingenuity and enterprise to believe that they will give up a principle recognized as advantageous, because of technical objections, without a thorough sifting and trial. A simple vote of Congress would at once put that principle in the way of a full and fair experiment. But it is certain that, as Congress is now composed, that vote will never be given. The same writer, whom I have already quoted, remarks, "A legislative chamber is greedy and covetous; it acquires as much, it concedes as little as possible. The passions of its members are its rulers; the law-making faculty, the most comprehensive of the

imperial faculties, is its instrument. It will *take* the administration if it can take it." Standing between the Executive and the people and completely overshadowing the former, it suits Congress to keep up a chronic howl about the danger of executive power, while it is perfectly willing to indulge the Executive in the most illegal and irresponsible abuse of power, if only that abuse is directed to fostering the passions and private interests of its members. We see on all sides associations forming to induce Congress to institute special reforms, while the essential preliminary to all reform is a change in the character of Congress itself. Mr. Madison, in a remarkable sentence in paper XLVII. of the "Federalist," says, "I shall undertake to show that, unless these departments (meaning the Legislative, Executive, and Judicial) are so far blended as to give each a constitutional control over the others, the degree of separation which the maxim requires as essential to a free government cannot in practice be duly maintained."

If time or my present subject would allow, it would be easy to point out how, not only in the Federal Government, but in the States, and even in our cities, the Legislative branch has swallowed up both the Executive and the Judicial, and in destroying all power but its own, has destroyed all responsibility. The history of France from 1789 to this hour, is one long lesson that this abuse of legislative power leads to military despotism for the protection of society. The Long Parliament in England fell like ripe fruit into the hands of Oliver Cromwell; and secure as we may think ourselves, the sober minds are not few who see in the present course of affairs a like result in a future not distant, as time is measured in the life of nations. On this ground the battle of free institutions must be fought. We are at this moment stumbling and groping in search of a new basis of party. Clearly there is no more important issue than the financial. But it is perfectly idle to attempt to form a party strong and united enough to force complex doctrines of finance upon Congress. National representation is the true method of meeting the difficulty. Give us a man, who by his position can gather up and express the national will, and backed by the national ballot-box can enforce that will upon a reluctant legislature! Of course, the cry of Danger! and Centralization! would be instantly raised. But while the power thus intrusted has to undergo the constant and daily ordeal of three hundred Argus eyes ready to blazon abroad the slightest illegal assumption, it can readily be shown that power is more than offset by responsibility.

I would not for a moment attempt to conceal the difficulty of the achievement which I have held out to view. But difficulty is a relative term. An effort which one might hesitate to undertake in view of an object of minor importance, may, if the end be adequate, become not

only advisable but imperative. If the path before us should prove to be the only one of escape from the fate of all democracies since the world began; if there should be one expedient only to save our Republic from crashing to ruin amid the mocking laughter of the partisans of divine right, then the word difficulty should be banished to the same category in which the First Napoleon is said to have placed the word impossible.

CONFERENCE OF BOARDS OF PUBLIC CHARITIES.

HELD AT NEW YORK, MAY 20 AND 22, 1874.

In accordance with an invitation extended to the Boards of Public Charities in the States of New York, Pennsylvania, Illinois, Massachusetts, Michigan, Wisconsin, Connecticut, Rhode Island, and Kansas, a Conference of these Boards was held on May 20th, at 10 A. M. At first, only delegates of these Boards and members of the Executive Committee of the Association were present; but after the organization, on motion of Dr. Bishop, the reporters were admitted, and members of the Association or others having experience in the matters discussed were invited to take part in the Conference. Hon. J. V. L. Pruyn, President of the New York Board, was appointed Chairman, and F. B. Sanborn, Delegate from the Massachusetts Board, was chosen Secretary. There were also present from the New York Board, Dr. Nathan Bishop, of New York; William P. Letchworth, Esq., of Buffalo; Hon. Samuel F. Miller, of Delaware County, and Dr. Charles S. Hoyt, of Albany, the Secretary. The State Board of Wisconsin was represented by Hon. Henry H. Giles, the President, and Mrs. W. P. Lynde, a member of the Wisconsin Board of Charities; and Connecticut by Mrs. Mariette E. Pettee, Secretary of the State Board of Connecticut. A dispatch was received from George L. Harrison, Esq., of Philadelphia, President of the Pennsylvania Board, announcing that a recent domestic affliction would prevent his attendance.

Letters were read from the Boards of Rhode Island, Pennsylvania, Michigan, and Kansas. The city Board of New York, which had been invited, was occupied with a public investigation during the sessions of the Conference, and was not represented therein; but gentlemen representing the State Charities Aid Association and the Bureau of Charities in New York City were present.

The first subject considered was, "The Duty of the States toward their Insane Poor," upon which Dr. J. B. Chapin, of the Willard Asylum for the Insane, at Willard, N. Y., made some brief remarks, as follows: —

THE DUTY OF THE STATES TOWARD THEIR INSANE POOR.

"Underlying the initial legislation pertaining to the insane is the apprehension of danger to person and property which may arise from their irrespon-

sible condition. If it is conceded that the safety of the community requires the personal liberty of the insane should be restrained, it follows that an obligation rests upon the State to direct, in its sovereign capacity, that the restraint should be properly and humanely exercised, and the custodial care combined with such remedial measures as will afford the greatest probability of recovery, which the individual in his condition cannot direct intelligently for his advantage. The state of helplessness and dependence which insanity at once produces, excites commiseration and pity, and prompts to sympathetic impulses, which move a community to give them expression in legislative acts for the relief of persons thus unfortunately afflicted. It may be a question whether the exercise of legislative functions to accomplish humanitarian purposes comes strictly within the objects of a government, when these legislative acts require for their full execution the collection of taxes for objects which it is not alleged will add to the prosperity financially of the State, or enhance appreciably the value of the property of its citizens. Illustrating this view, it may be observed in this connection that taxes for purposes purely benevolent in their character are among the last to be levied and paid with reluctance, while those provided for internal improvements are more freely, and, sometimes, even liberally, voted.

"Our whole duty to the insane, as well as to all the dependent classes, may not appear from the nature and objects of human governments, but it does appear when we consider and accept those higher principles which it was the province of the Divine Master and Teacher to inculcate, the practical application of which distinguishes Christian from pagan civilization.

"If, then, the safety of society imposes a necessity of exercising a salutary control over the personal liberty of the insane, then those reciprocal obligations which exist and bind together the members of a community, also require that the State should make special provision for the medical treatment and supervision of its insane poor, whose helplessness, dependent condition, and hope of recovery appeal to our sympathy and higher sense of duty, without which aid they must inevitably seek that last refuge, — the refuge which the jail and almshouse afford.

"The existing institutions for the care of the insane, whether corporate or erected under State auspices, may be regarded as a recognition of these obligations. If we examine the history of the early efforts to establish each one of these institutions, we will find they had their origin in the hope of improving the condition of the insane poor; that these efforts have been materially aided by 'memorials,' 'petitions,' and official reports, representing the neglected condition of the insane in jails and almshouses, and that the favorable action of legislatures has seemed to be the direct result of these representations. In view of the many official recognitions of the claims of the insane poor, what becomes the duty of the States to this class?

"Recognizing the fact that the sentiment of a community conforms itself to its written statutes, it is of the first importance that the State, in its sovereign capacity, should clearly define the legal status of an insane dependent in accordance with the principles we have stated. It should not be discretionary with a public officer, before whom a case is presented for action, to send an insane person to an asylum, or to an almshouse and jail. With such formali-

ties as may be deemed requisite, there should be no discretion in the case; but the public officer should, in unmistakable language, be required by the statute to order the transfer of the insane dependent to a public asylum established and managed upon accepted and approved principles. The insane poor should be removed as far as possible while there, in all that pertains to their daily surroundings and maintenance, from the various baneful influences of political changes, and the mercenary economy which sometimes afflicts localities. The State institutions should be held strictly to their originally-designed purpose, so that the class for which they were, and are, intended, should have the fullest benefit of the establishment, and not be excluded by any policy of internal administration.

"In the earlier history of this subject it was usual to officially designate institutions for the insane as asylums, which conveyed to the popular sense the idea of permanent residence during a state of disability. Latterly it has been the practice of our legislatures to create establishments for the insane under the name and style of hospitals, which would seem to serve the purpose of a medical idea. No exception ought to be taken to a name did it not come to subserve in practice the purpose of the idea that such institutions were places of temporary abode for patients who were ultimately to find an asylum or refuge elsewhere, when pronounced incurable. Having a firm conviction that this practice has depreciated the value and importance of asylums, we believe the State establishments should be called, and actually become to the insane, asylums or homes, and the practice of discharging and removing incurables to the almshouses be abandoned.

"While great additions have been made to our knowledge of the nature of insanity, its proper medical and moral management, we must ask ourselves the question, whether the present state of medical science will warrant us in believing the percentage of recoveries will increase? We must regard actual results, and not take counsel of our medical enthusiasm and hopes, and confess that official reports do not justify the belief that this percentage is increasing. This statement should not be made without acknowledging the fidelity and earnestness with which so many members of the profession are laboring in this department of medical research. Would that we could realize the results that have been hoped for! Much as we love our profession and its noble offices, it is of more importance that the people of the several States be impressed with the results which actual experience develops, and prepared to discharge their whole duty to the large class of incurable insane persons who will remain a life-long public charge, as well as to the recent and curable cases.

"To recognize the fact, as we must, that a small portion of the insane poor are well cared for in the existing State asylums, while the mass are provided for in the almshouses, is a sad commentary upon the existing system. To propose that we must erect more hospitals, when we are yearly struggling for appropriations to complete those we have commenced, or to keep those we have erected in a proper state of repair, does not solve the problem, but postpones it. What our duty may be to the insane poor may be easy to determine for ourselves. If we would witness some results of a scheme of relief, it must be adapted to the appreciation of the popular mind, to the pecuniary ability of tax-payers, and have the merit of comprehensiveness.

"In reference to the disposition of recent cases with whom the hope of restoration mainly lies, no question can occur. There should be ample asylum accommodation prepared for their prompt treatment. The only question that we think can possibly arise is the proper disposition of the chronic and incurable cases. As we have before stated, it is our opinion that the discharge of incurables from the asylums should cease. We believe it is entirely feasible to attach to all the asylums supplemental departments in which the tranquil and manageable cases can be made more comfortable than under an almshouse organization, and on plans acceptable to tax-payers.

"We believe great concessions may be made in the plans, style of architecture, and cost of construction of asylums, so that additional structures will be entered upon with less reluctance. It is not necessary that these structures should be built to endure for ages. It is quite possible and probable that the changes of a single generation may cause a departure from present plans to be highly desirable.

"A word is necessary on the subject of the maintenance of the insane, and here, again, we are confronted with the financial aspect of the question. In those States where the expense of maintenance of the insane poor is a direct charge upon the counties or towns, there is a manifest reluctance, except in extreme cases, to transfer them to the State asylums, where the views as to their requirements differ, and the expense is greater than in the county poorhouses. We do not believe the differences which prevail on this point can be reconciled except by positive legislation. In conclusion, we deem it of the highest importance that entire harmony should exist and be cultivated between the boards of public charities of the several States, and the medical profession, as to the best policy to be pursued."

In these remarks Dr. Chapin was understood to express the views not only of himself, but of the trustees of his asylum, which is a large State establishment, with more than 800 patients, chiefly of the chronic insane. One of these trustees, Mr. Darius A. Ogden, of Penn Yan, N. Y., was present, and took part in the debate which followed the remarks of Dr. Chapin.

The Secretary, Mr. Sanborn, submitted a copy of an act lately passed in Pennsylvania, giving the Board of Charities in that State power to transfer the insane poor, who are found neglected or abused in almshouses and prisons, to the State hospitals and asylums, where they will be under medical supervision. This statute, and the others given on another page, grew out of the controversial discussion of the treatment of the insane poor in Pennsylvania, which was carried on last winter between the State Board of Charities and the superintendents of State establishments for the insane. Taken together, Mr. Sanborn said they give Mr. Harrison and his colleagues substantially the same powers and duties as were imposed on the Massachusetts Board by a law of 1864. In the discussion which followed it was evident that the experience of other States in regard to the chronic insane poor has been, or is becoming, very similar to that of Massachusetts.

Mention was made in this connection of the Asylum for Chronic Insane attached to the great State Almshouse at Tewksbury, Mass., and of the excessive mortality among its inmates in the year 1873. The whole number under treatment being 435, during the year ended October 1, 1873, not less than 60 had died, or nearly 14 per cent. of the whole number. Various causes had been assigned for this mortality, but it had been found that there was a lack of proper medical supervision and of sanitary provision for the patients, and, this evil having been exposed and in part remedied by the Board of Charities, the mortality had much declined during the past seven months. Mrs. Pettee spoke of the generally good condition of the Connecticut Hospital for the Insane Poor at Middletown, and Mrs. Lynde related some instances of neglect which had come under her notice in the county almshouses of Wisconsin. Dr. Bishop spoke in condemnation of the present costly architecture of establishments for the poor, both the sane and the insane, and, upon his motion, a committee of five was appointed to consider and report upon the subject of Buildings for the Indoor Poor. This committee consists of Dr. Nathan Bishop of New York, Chairman; Mrs. Lynde of Wisconsin, Dr. Diller Luther, Secretary of the Pennsylvania Board of Charities; Rev. F. H. Wines, Secretary of the Illinois Board, and Mr. D. A. Ogden, of the Willard Asylum, New York.

In opening the debate on the second topic considered by the Conference, *The Laws of Pauper Settlement, and the Best Mode of Administering Poor-law Relief*, Mr. Sanborn, the Secretary, submitted two Reports from Departments of the Association. The first, from the Department of Jurisprudence, related to the Settlement Laws of Massachusetts, and was as follows: —

THE SETTLEMENT LAWS OF MASSACHUSETTS.

A Report from the Department of Jurisprudence,

DRAWN UP BY EDWARD W. RICE, ESQ., OF BOSTON. READ MAY 20, 1874.

Our settlement law, in its origin, seems not to have been so much indebted to the English law as is commonly supposed; for the settlement law, properly so called, did not come into existence in that country until 1662, when the statute of 14 Charles II., cap. 12, authorized the removal of a pauper to his own parish, from a place where he had remained less than forty days. Previously that power did not exist, although, in 1601, the celebrated statute of 43 Elizabeth, cap. 2, had made provision for the poor by establishing a system of compulsory relief. This statute is the foundation of the English Poor Law. Those previously in force were directed against "valiant beggars and sturdy vagabonds," and were designed mainly for the suppression of vagrancy.

Our earliest colonial statute covered both provision for support and removal of paupers. It was enacted in 1639, as follows: "It is ordered that the court, or any two magistrates out of court, shall have power to determine all differences about a lawful settling and providing for poor persons, and shall have power to dispose of all unsettled persons into such towns as they shall judge to be most fit for the maintenance of such persons and their families and the most ease of the country." — *Anc. Chart.* 173.

This was followed, in 1655, by a statute, which, after reciting that there was great complaint by reason of strangers pressing into towns without the consent of the inhabitants, there being "no law to prevent the same," empowered towns to prevent the coming in of such persons, without the "allowance of the prudential men," and to require security at their entrance from those that brought them in. — *Rec. of Mass.* iii. 376.

In 1659, "for the avoiding of all future inconveniences referring to the settling of poor persons," it was ordered "that when any person, with his family, or in case he hath no family, shall be resident in any town or peculiar of this jurisdiction for more than three months without notice given to such person or persons . . . . that the town is not willing that they should remain as an inhabitant amongst them;" or, if they should remain after such notice, and there should be no application by the selectmen to the next county court for relief, then such persons were to be relieved, in case of necessity, by the inhabitants of said place. The county courts had power to determine complaints, and appeals to the court of assistants were granted.

In 1675 this statute was modified respecting those persons who had been driven from their homes through "the present calamity of the war" and their support, when relatives were unable to provide, was thrown upon the "publick treasury." — *Anc. Chart.* 174.

The statute called the 4th William and Mary, cap. 13, 1692 (Anc. Chart. 251), provided that a residence of three months without warning should give a settlement, except to those who were committed to prison in any town or lawfully restrained there, or who had come for nursing or education, or to be healed by a physician or surgeon. Persons warned to leave, and neglecting to do so for fourteen days, might be sent, by justice's warrant, from constable to constable, to the town where they belonged. This statute was in force until 1701, and provided the only method, during this period, by which settlements could be gained by persons competent to acquire them in their own right.

During this period derivative settlements might be acquired, —

By marriage. — A woman, by a valid marriage, took the settlement of her husband, if he had one, otherwise she retained her own.

By parentage. — Legitimate children took the settlement of their father, if he had any; otherwise the settlement of their mother, if she had any.

By birth. — The birth-place of illegitimate children, and, it seems, of legitimate children, whose parents had no settlement, was their place of settlement.

By slavery. — While slavery was tolerated, a slave took the settlement of his master.

The statute of 13 William III., A. D. 1701 (Anc. Chart. 362), changed the time of residence without warning from three to twelve months, and provided that a settlement might be gained by obtaining the approbation of the town, or its selectmen. An explanatory act in 1739 — 13 Geo. II. — declared that the approbation of the town must be obtained at a regular meeting, and that of the selectmen by a writing under their hands or the hands of the major part of them.

In 1767 — 7 Geo. III. — it was enacted that after April 10, in that year, no person should gain an inhabitancy in any town by any length of time he might continue there without warning, unless such person should first have made known his desire to the selectmen thereof, and obtained the approbation of the town at a general meeting of the inhabitants. All persons not thus approved might be removed to the towns where they belonged, by warrant of a justice of the peace.

This statute was continued in force until 1789, and provided the only means of gaining a settlement in one's own right. Derivative settlements were acquired by (1) marriage, (2) parentage (an illegitimate child taking its settlement from its mother, instead of, as formerly, from its birth-place), and (3), until 1780, by slavery. Under the construction given to this statute, no settlement could be acquired by birth, and such has ever since been the law.

The act of June 23, 1793, provided six methods by which a settlement might be acquired by a *citizen of this Commonwealth*.

(1.) By being seized of an estate of freehold of the clear annual income of three pounds, and residing thereon or within the same town or district, occupying and improving the same in person for the space of two whole years.

(2.) By residence and payment of a town tax, after the age of twenty-one years, for the term of five years successively.

(3.) By residence of two successive years without warning.

Methods 2 and 3, however, never went into operation, having been repealed by subsequent statutes.

(4.) By vote of the town, in case such citizen, after the passage of the vote, should reside in the town.

(5.) Marriage.

(6.) Parentage. — Children born in wedlock, at the time of their birth and afterwards, were to be deemed inhabitants of the same town or district with

their parents; if otherwise born, to be deemed inhabitants with the mother until they obtained a legal settlement in some other town or district.

The provisions of this law did not enable persons imprisoned or lawfully detained, coming for nursing, education, or support, or to learn a trade, to acquire a settlement by residence. No person could have two settlements at once; but, on acquiring a new one, was deemed to have relinquished the old.

The statute of February 11, 1794, repealed all existing settlement laws, but continued all settlements until they should be defeated by new ones acquired under its provisions.

It was enacted that legal settlements in any town or district in this Commonwealth shall be hereafter gained so as to subject and oblige such town or district to relieve and support the persons gaining the same, in case they become poor and stand in need of relief, by the ways and means following, and not otherwise, namely: —

(1.) A married woman shall always follow and have the settlement of her husband, if he have any within this Commonwealth; otherwise her own at the time of marriage, if she then had any, shall not be lost or suspended by the marriage; and, in case the wife shall be removed to her settlement, and the husband shall want relief from the State, he shall receive it in the town where his wife shall have her settlement, at the expense of the Commonwealth.

(2.) Legitimate children shall follow and have the settlement of their father if he shall have any within this Commonwealth, until they gain a settlement of their own; but if he shall have none, they shall, in like manner, follow and have the settlement of their mother, if she shall have any.

(3.) Illegitimate children shall follow and have the settlement of their mother at the time of their birth, if she shall then have any within the Commonwealth; but neither legitimate or illegitimate children shall gain a settlement by birth in the place where they may be born, if neither of their parents shall then have any settlement there.

(4.) Any person of twenty-one years of age, being a citizen of this or any of the United States, having an estate of inheritance or freehold in the town or district where he dwells and has his home, of the clear yearly income of three pounds, and taking the rents and profits thereof three years successively, whether he lives thereupon or not, shall thereby gain a settlement therein.

(5.) Any person of twenty-one years of age, being a citizen of this or any of the United States, having an estate the principal of which shall be set at sixty pounds, or the income at three pounds, twelve shillings, in the valuation of estates made by the assessors, and being assessed for the same to state, county, town, or district taxes, for the space of five years successively in the town or district where he dwells and has his home, shall thereby gain a settlement therein.

(6.) Any person being chosen, and actually serving one whole year, in the office of clerk, treasurer, selectman, overseer of the poor, assessor, constable, or collector of taxes in any town or district, shall thereby gain a settlement therein.

(7.) All settled, ordained ministers of the gospel shall be deemed as legally settled in the towns or districts wherein they are or may be settled and ordained.

(8.) Any person that shall be admitted an inhabitant by any town or district at any legal meeting, in the warrant for which an article shall be inserted for that purpose, shall thereby gain a legal settlement therein.

(9.) All persons, citizens as aforesaid, dwelling and having their homes in any unincorporated place at the time when the same shall be incorporated into a town or district, shall thereby gain a settlement therein.

(10.) This section is concerning settlements, upon division of towns or districts.

(11.) Any minor who shall serve an apprenticeship to any lawful trade for the space of four years in any town or district, and actually set up the same therein within one year after the expiration of said term, being then twenty-one years old, and continue to carry on the same for the space of five years therein, shall thereby gain a settlement in such town or district; but such person, being hired as a journeyman, shall not be considered as setting up a trade.

(12.) Any person being a citizen, as aforesaid, and of the age of twenty-one years, who shall hereafter reside in any town or district within this Commonwealth for the space of ten years together, and pay all state, county, town, or district taxes, duly assessed on such person's poll or estate, for any five years within said time, shall thereby gain a settlement in such town or district. And every legal settlement when gained shall continue until lost or defeated by gaining a new one; and, upon gaining such new settlement, all former settlements shall be defeated.

The act of February 21, 1822, repealed the fourth provision of the act of 1794, and enacted that any person of twenty-one years of age, being a citizen of this or any of the United States, having an estate of inheritance or freehold in any town, district, or city within this Commonwealth, and *living on the same* three years successively, shall thereby gain a settlement.

The act of 1794, as thus modified, is substantially embodied in chapter 69 of the General Statutes, and with some further modifications to be noted, is in force to-day.

Two hundred dollars and twelve dollars were substituted in the General Statutes for the sixty pounds, and three pounds, twelve shillings of the act of 1794.

Chapter 328, statute 1868, removed the necessity of citizenship, and provided that persons otherwise qualified should be deemed to have acquired settlements, although not citizens of this or any other of the United States; and the words "whether such other qualifications shall have been acquired before or after the enactment hereof" were added by chap. 379, stat. 1871.

The act of 1870, chap. 392, provided that any unmarried woman of

the age of twenty-one years, who should thereafter reside in any place within the State for ten years together, without receiving aid as a pauper, or being convicted of crime, should thereby gain a settlement in such place. By the same act, all settlements acquired by virtue of any provision of law in force prior to Feb. 11, 1794, except when the existence of such settlement prevented a subsequent acquisition, were defeated. When a settlement by marriage is defeated by this act, the former settlement of the wife is revived unless defeated in the same way.

The statute relating to soldiers' settlements was passed in 1865 (c. 23) and amended in 1870 (c. 392), and stand as follows: —

Any person who shall have been duly enlisted and mustered into the military or naval service of the United States, as a part of the quota of any city or town in this Commonwealth, under any call of the President of the United States during the recent civil war, and who shall have continued in such service for a term not less than one year, or who shall have died or become disabled from wounds or disease, received or contracted while engaged in such service, or while a prisoner in the hands of the enemy, and the wife or widow and minor children of such person shall be deemed thereby to have acquired a settlement in such city or town.

The provisions of the preceding section shall not apply to any person who shall have enlisted and received a bounty for such enlistment in more than one town, unless the second enlistment was made after an honorable discharge from the first term of service, nor to any person who shall have been proved guilty of willful desertion, or to have left the service otherwise than by reason of disability or an honorable discharge.

The law now in force may be summed up as follows, leaving out of view the special provisions in regard to soldiers' settlements, which have been given.

A settlement may be acquired by any adult person, irrespective of citizenship, in his or her own right, in any city or town, —

I. By ten years' continuous residence therein, accompanied by the payment of all taxes, duly assessed, for any five years within said time, or, in the case of an unmarried woman, by such residence, without receiving relief as a pauper or being convicted of crime.

II. By a residence of three successive years on his or her estate of inheritance or freehold, situated therein.

III. By the possession of an estate the principal of which shall be set at $200, or the income at $12, in the valuation of estates, made by assessors, and being assessed thereon for all taxes for five years successively, if the person dwells or has his home in the place where such assessment is made.

IV. By being chosen and actually serving one whole year as clerk, treasurer, selectman, overseer of the poor, assessor, constable, or collector of taxes therein. Said year is defined as the time between two successive town meetings.

V. By being settled as an ordained minister therein.

VI. By being admitted as an inhabitant therein at a legal meeting held under a warrant containing an article for that purpose.

VII. By dwelling and having a home in an unincorporated place at the time of its incorporation into a town.

VII. By setting up and carrying on a lawful trade for five years in any place, provided that the person while a minor has served a four years' apprenticeship in said trade and place, and has set up the trade within one year after the expiration of the term of apprenticeship.

A derivative settlement may be gained,—

I. By a married woman, who "shall follow and have the settlement of her husband, if he has any within the State; otherwise her own at the time of marriage, if she then had any, is retained."

II. By legitimate children, who "shall follow and have the settlement of their father, if he has any within the State, until they gain a settlement of their own; but if he has none they shall, in like manner, follow and have the settlement of their mother, if she has any."

III. By illegitimate children, who "shall follow and have the settlement of their mother at the time of their birth, if she then has any within the State; but neither legitimate or illegitimate children shall gain a settlement by birth in the place where they may be born, if neither of their parents then has a settlement therein."

Every legal settlement shall continue until it is lost or defeated by acquiring a new one within the State, and, upon acquiring such new settlement, all former settlements shall be defeated and lost.

Under the operation of the law which continues the old settlement until a new one within the State be gained, a person transmits a settlement acquired therein to his posterity, although he himself should remove to a foreign country, and there rear his children. Its working is illustrated by a case in 10 Mass. Rep. 411, where the facts were, that a pauper having a settlement derived from his father, removed into New Hampshire, and there had a son born, who afterwards came into this State and had children. It was held that these children had a settlement here derived from their great-grandfather. See also 105 Mass. 292, for a case where the settlement was derived from one acquired in 1675. It has been stated that settlements acquired prior to 1794 are now, except in certain cases, defeated. Otherwise the law governing those cases is still in force. The system under which settlements are inherited is objectionable from the time and expense involved in the laborious search into ancient records and the tracing of long genealogies required. The proper purpose of a settlement law is not to ascertain the particular community from which a pauper can claim his own support and that of his family, as a matter of right, but simply to distribute fairly the burden of supporting those who must not be left uncared for, having at the same time due regard to principles of humanity and economy in fixing the place of such support.

A rule which shall effect this, and yet be easy of application, is the thing to be sought. That which fixes the settlement, until the acquisition of a new one, at the place of birth, has the merit of simplicity, and removes the necessity of tracing a pauper's lineage; but it seems necessary that such a law should be accompanied by provisions guarding against the separation of families and covering special cases, where otherwise settlements would be withheld: so that with these necessary modifications it would become, it is thought, more complex than a proposed amendment which is annexed.

This amendment is designed to remove the objectionable features of our present law of derivative settlement, and at the same time to provide, as far as possible, for all cases where settlements should be given.

Our law relative to the gaining of original settlements is more complex and stringent than those of most of the other States. It is substantially the law of 1794, which, in some of its provisions, as in those respecting the possession of property and the holding of public office, seems to have been modeled after English statutes then in force. These provisions were originally inserted in the English law in limitation of a power of summarily removing a person who should venture into a parish where he had no settlement; for not until 1795 was it a prerequisite to such removal that the person become actually chargeable as a pauper.

Since populations nowadays are more fluctuating than was the case when our settlement law went into operation, and since, also, ideas respecting the powers of local governments have somewhat changed, it seems proper to inquire whether the requirements of our law ought not to be modified. The tendency of modern legislation is evidently in this direction. The only States besides our own which now make the possession of property a means of gaining settlements are Vermont, New Hampshire, Rhode Island, Connecticut, Pennsylvania, New Jersey, and Delaware, and of these the four latter alone require a person to live upon the estate. Their provisions respecting the property qualifications may be found in the Eighth Report of the Board of State Charities, pp. 14, 15. The other States merely prescribe a certain period of continuous residence, the same for men and unmarried women, without possession of property or the payment of taxes, as follows: Maine, 5 years; South Carolina, 3 years; New York, Virginia, West Virginia, North Carolina, Ohio, Indiana, Michigan, Wisconsin, Iowa, Minnesota, Missouri, and Oregon, 1 year; Illinois, Mississippi, and Kansas, 6 months; and Nebraska 30 days. In Prussia a single year's residence has recently been made the prerequisite to a settlement.

While the character of the population and industries of our own State may justify a more stringent requirement respecting residence

than is deemed necessary in many of the others, still it may be questioned, whether the period as now fixed (10 years) is not too long. The recommendation made in the Report of the Board of State Charities that has been referred to, that both this requirement and those relative to property be repealed by a law making three or five years' continuous residence (irrespective of the payment of taxes, unless that be made conclusive evidence of residence) the condition of a settlement, seems worthy of consideration.

As towns no longer undertake to say who shall or who shall not live within their limits, the provision on our statute book relative to the admission of an inhabitant by vote, seems to be out of keeping with the times, and unnecessary. Some of the other provisions, which need not be here specified, seem open to the same objection.

EDWARD W. RICE.

BOSTON, *January* 15, 1874.

PROJECT OF A LAW.

1. Whoever has an original settlement in any place in this Commonwealth may transmit the same to a wife or minor child, according to the laws now, or at any time hereafter, in force. But no derivative settlement shall hereafter be transmitted.

2. Children, including minors born before the passage of this act, shall have a settlement in the place of their birth, if born within this State of parents neither of whom then has an original settlement therein, or in case of illegitimacy, if born of a mother who then has no such settlement. But if either parent, or in case of illegitimacy, the mother, shall afterwards, during the minority of such child, gain an original settlement therein, the settlement of the child shall follow that of the parent.

3. This act shall not defeat any settlement already established by suit at law, or recognized by support furnished; nor any claim for support already made against any city or town, upon which the notification provided by General Statutes, c. 70, secs. 17, 18, has been given more than sixty days before the passage of this act, but no settlement shall hereafter be deemed to have been acquired by transmission from a derivative settlement, except as herein provided.

In order to complete this Report up to the present date, Mr. Sanborn said it was necessary to add some very important recent changes made by an amendment of the Massachusetts Settlement Laws, passed within a few days by the Legislature at Boston, upon the recommendation of the Board of Charities. The system is so complicated in that State, that it has been found necessary to proceed with great caution in amending it, and the Legislative Committee reporting the proposed amendments, April 30, 1874, used this language: —

Any radical change in the laws of settlement is beset with great difficulties, and is likely to be productive of more or less harm than good to those whom it

is sought to benefit. We believe that it is safest to make haste slowly, and to test by experience the effect of moderate changes. If these prove successful, further legislation can readily be had in the direction they indicate. We therefore report a bill the main object of which is to make better provision for the unsettled poor. This bill does not change existing settlements. Every settled person is to remain where he now belongs, until that settlement is defeated and a new one gained in the ordinary course of law. It does not interrupt or defeat any settlement in process of acquisition. This is to be completed, as before, under existing laws. It does not change the principles underlying the present laws, but merely adapts them to the exigencies of the present day, by shortening the time and lessening the number of taxes required for settlement. It gives all settled persons a fair and equal start, by allowing them to commence now to gain a new settlement under its provisions. It provides liberally for the unsettled by giving all a settlement who can show a continuous residence of five years and the payment of three taxes within that time, whether the residence and taxation be wholly before, or wholly after, or partly before and partly after, its enactment. It relieves the most pressing claim brought to the attention of the Legislature, by giving women a settlement by five years' residence, providing within that time they have not been paupers. And finally, it exempts from its benefits the present State pauper inmates of the public institutions — to the end that no injustice may be done to any city or town.

This bill became a law in May, and now stands on the Massachusetts Statute Book entitled, "An Act for the More Efficient Relief of the Poor." Being brief it may be cited here in full as an appendix to the Jurisprudence Report, and runs as follows: —

SEC. 1. Any person of the age of twenty-one years, who resides in any place within this State for five years together, and pays all state, county, city, or town taxes duly assessed on his poll or estate for any three years within that time, shall thereby gain a settlement in such place.

SEC. 2. Any woman of the age of twenty-one years, who resides in any place within this State for five years together, without receiving relief as a pauper, shall thereby gain a settlement in such place. The first section of the 392d chapter of the acts of 1870 is hereby repealed.

SEC. 3. No existing settlement shall be changed by any provision of this act, unless the entire residence and taxation herein required shall have accrued after its passage; but any unsettled person shall gain a settlement upon the completion of the residence and taxation herein required, though the whole or a part of the same may have accrued before the passage of this act.

SEC. 4. The provisions of this act shall not apply to any person who at the date of its passage shall be an inmate of either of the State Lunatic Hospitals, the Asylum for Insane and the State Almshouse at Tewksbury, the State Workhouse, or the State Primary School, until such person shall have been duly discharged from said institution.

The second Report submitted was not read until the afternoon of Friday, May 22d, when it was ably discussed in the General Meeting of the Association. It was proposed by the Committee of the new De-

partment of Social Economy, and was read by Dr. Robert T. Davis, of Fall River, Massachusetts, a member of the Committee. As printed below it is signed by all the members of the Committee; but it is proper to state that the original draft was prepared by CHARLES L. BRACE, Esq., of New York; and that the modifications made by the Committee affected chiefly the general statements of the Report, and not those relating to last winter's experience in New York, in regard to which Mr. Brace is a very competent witness. Appended to this paper will be found an imperfect record of the debate concerning it, in the General Meeting.

PAUPERISM IN THE CITY OF NEW YORK.

A Report from the Department of Social Economy.

READ MAY 22, 1874, BY DR. R. T. DAVIS, OF THE DEPARTMENT COMMITTEE.

Pauperism is a matter which is daily becoming of more importance to our whole community. The effects of an irredeemable paper currency have been to stimulate speculation and to rob labor of its earnings. The laboring class, through the influence of this currency and the business panics which it has occasioned, has been thrown more and more into difficulties. Large numbers of workingmen, with their families, have, during the past year, been thrown out of employment without a sufficient fund of savings to fall back upon.

Extravagant habits in the time of their prosperity have taken away their reserved means of support when times of depression came. On the other hand, the fortunate class of the United States is one of peculiar philanthropy and benevolence. Wherever they see misery they are only too prompt to aid it; their readiness to give to the needy, whether deserving or undeserving, was never exceeded in any civilized community. Their charity, too, has much impulse in it, and little reflection, so that often, through their very kindness of heart, they plant evils which they were trying to prevent. The natural consequence, accordingly, of a wealthy class desiring to help, and of a needy class wanting assistance, is that certain people are weakened in their habits of self-support and are accustomed to depend on the bounty of others.

Formerly, when work was so well paid, and labor was so independent, there was little danger of creating this class of dependents or paupers; but the present confusion of our financial system, and the irredeemable currency, tend to make the poor poorer, and the few richer; thus separating classes more than ever, and degrading the laborer. The experience of all civilized countries is that in such a state of things pauperism will inevitably be created, and a pauper class formed or greatly increased. The process of the formation of such a class has been very distinctly shown in the experience of one of our large cities during the past winter.

INDISCRIMINATE CHARITY IN NEW YORK.

New York, as is well known, is a large manufacturing centre, and employs great numbers of artisans and mechanics. It has also a vast number of ordinary day-laborers, as well as an unusual number of those who, in the best of times, just keep their heads above water. When the industrial and business panic came upon the city last autumn, it was seen at once by the benevolent and fortunate classes that widespread distress would ensue.

Though the business community was exceedingly impoverished, and those with large capitals felt themselves in temporary embarrassment, preparations were at once made for the relief of those who were still more unfortunate. No words can ever praise too warmly the generosity and unselfishness of motives of a large part of the New York community in their gifts of charity during the past winter. Still, it was too often a generosity without discretion. Some of the gifts were no doubt prompted by the selfish prudence of capital wishing to guard against the discontent of the poor; others were undoubtedly given merely for sensation or from fashion; but still, with all that, there remained liberal donations which were the expression of pure benevolence and compassion.

Warnings were early put forth, by persons experienced among the poor, as to the danger of creating pauperism by indiscriminate charity, and especially by that form of it administered in soup-kitchens. The objections to these latter are, that being public in administering the relief, they tend to diminish that delicacy and self-respect among the poor, which are their best safeguards against pauperism. Being also from necessity widely advertised, they call in the imposters and the vagrants from every direction to enjoy the public benefaction. By the public example of alms they induce many to be paupers who were never so before, while they do not at all relieve the truly deserving, who hesitate to be exposed to such publicity. They are, in fact, an especial assistance to the idle, and a reward to the improvident.

The experience of New York in 1857, and of Boston and other cities since that date, proves that the soup-kitchen charity only creates pauperism. Despite the warnings of the experienced, soup-kitchens and free lodgings were opened, by public and private means, with the utmost liberality, in various portions of New York last winter, and enormous sums were contributed by private citizens for these popular benefactions. Before the winter was over, however, most of those engaged in them regretted, without doubt, that they had ever taken part in these kindly but mistaken charities. The reports of competent observers show what were their effects. The announcement of the intended

opening of these and kindred charities immediately called into the city the floating vagrants, beggars, and paupers, who wander from village to village throughout the State. The streets of New York became thronged with this ragged, needy crowd; they filled all the station-houses and lodging-places provided by private charity, and overflowed into the island almshouses. Street-begging, to the point of importunity, became a custom. Ladies were robbed, even on their own doorsteps, by these mendicants. Petty offences, such as thieving and drunkenness, increased. One of the free lodgings in the upper part of the city, established by the Commissioners of Charities, became a public nuisance from its rowdyism and criminality.

Nor would these paupers work. On one occasion the almshouse authorities were discharging a band of able-bodied paupers, and, having need of some light out-door labor on the island, they offered these men what is thought good country wages — that is, $15 per month and board. They unanimously refused, preferring the free lodgings and free lunches of the city.

But with these "tramps" came another and more respectable throng, hurrying toward this "feast of charity" — honest and hard-working laboring men from every part of the neighboring country. Farms in the interior of New York were left stript of laborers, though the farmers offered good wages. Working men came from as far away as Pittsburg and Boston; partly, no doubt, to see the sights of New York, but hoping also for aid from public and private charities.

In some cases young men were arrested in criminal houses, who made their head-quarters in these soup-kitchens or relief-houses, and then sallied out to enjoy the criminal indulgences of the city.

The pauperizing influences, however, of this indiscriminate charity reached beyond these classes. Poor families abandoned steady industry, got their meals at the soup-kitchens, and spent the day in going from one charitable organization to another. Those experienced with this class report that such people acquire a "Micawber" habit of depending on chances, and seldom return to constant work again. Instances were known of families taking their meals from the Relief Association, and spending the money set aside for this daily in liquor, so that in the poorest quarters the liquor trade was never so prosperous.

A singular effect also was produced on the class of homeless girls. Many avoided the houses where charity was connected with work, and obtained their meals at the free-lunch places, and then lodged in the low, cheap lodging-houses, where their habits were uncontrolled, and they could wander the streets at night. Many were thus enticed into ruin.

But another class now felt the pauperizing influence of this charity — one which had never stooped to public alms before — the mechanics and artisans. These were not driven by the severest poverty. They had been in receipt of wages from $3 to $5 per day. They had much money laid up in the savings banks. They contributed through the winter large sums to various strikes and labor unions. The best proof that they were not pressed by poverty is, that never once did they lower their demand for wages in any branch of industry. The most ignorant job-work — as, for instance, a man's labor in moving — was fifty cents an hour. Few would even clean snow from a sidewalk, or cut or saw wood, or carry burdens, for less than at the rate of $2 or $2.50 per diem. Mechanics still demanded from $3 to $5 per diem. It was notorious that important trades, such as the building trade, were at a stand-still on account of high wages, and that the employing class could not afford to pay such high rates. Yet no wages came down. Labor was in struggle with capital against a lowering of prices. Charity assisted labor in the combat. The soup-kitchens and relief associations of various names became thronged with mechanics. Some of the best workingmen in the city ate and lodged at the public expense. Thousands of able-bodied artisans, young and skillful, were fed by alms. The idleness and the dependence injured many among them irretrievably. The whole settlement of the labor question was postponed by the over-generous charity of the city, and spring came upon the mechanical class without a revival of trade, which might have come if misguided kindness had not supported them in this struggle.

These benevolent institutions also interfered with many kinds of legitimate business. Thus, in one ward — the Eleventh — a number of small eating-house keepers, who had made an honest living by their occupation, were almost thrown into bankruptcy by the competition of certain soup-kitchens established by religious associations. A similar thing occurred in other wards. In one district, also, a keeper of a laundry, who had ten or twelve girls in his employment, at good wages, found himself stripped of his help in the midst of the winter, these women preferring to live for nothing in the free lodgings. He, accordingly, was compelled to advertise for help, and spent, as he related, $8 in the effort, but without success, and was ultimately obliged to close his laundry.

It had been expected that this industrial crisis would bring down the wages of female servants, since these had remained at a high rate, though all other prices had fallen. The Superintendent of the Free Labor Bureau, however, stated that during all this distress the poor girls who came to his office could not be induced to take situations for less than from $14 to $20 per month, and said that they preferred to

live at the charitable institutions until they could get such wages as they chose. It is well known that the wages of female labor have been as high this winter as at any time since the war.

One of the free dormitories for women was, in fact, broken up by its coming to the knowledge of the directresses that a lady, on one occasion, offered each lodger a situation in a good family at $10 per month, and not one of these "victims of poverty" could be found who would accept the place on the terms.

We have dwelt in detail on this experience in New York because it is exceedingly instructive with reference to all future effort in our cities for relieving poverty.

PREVENTION OF PAUPERISM.

The first condition in preventing pauperism is that relief should, as much as possible, be connected with labor. Every almshouse ought to be a workhouse, and many of these institutions in the rural districts could probably pay their own expenses if they were permitted to employ the able-bodied paupers in remunerative labor. An almshouse near New Haven supported itself for many years by the work of its inmates. If almshouses cannot suitably be turned into workhouses, each State should establish certain workhouses where able-bodied trampers could be compelled to remain long enough to pay for their support. An effort is being made in the State of New York to establish three or four such workhouses. All private charity should be connected as much as possible with work, and those associations should be encouraged which distribute their benefactions by means of work performed.

It is not enough considered by the community that a worse evil to the poor than poverty is the spirit of pauperism. This degrades all that is manly and self-respecting in a human being, and destroys all habit of industry and self-support; it undermines the moral forces, so that a community of paupers, transmitting pauperism to children of like character, would soon become one of the most degraded and miserable on the face of the earth. In fact, however, a pauper family seldom lasts beyond three or four generations, since physical and mental power become absolutely degenerated and finally extinct.

Great care also should be taken in distributing benefactions that they only be given after careful house visitation. To call the poor to a public office, to clothe, feed, and help them, is to offer a bounty to pauperism, and to encourage the very evils the benevolent are seeking to prevent. In case of any public and widespread distress, the proper course is for the fortunate classes to district the poor classes, and visit carefully from house to house, finding those who are the truly

deserving recipients for charity. In this way assistance can be given much more exactly to those who are truly in need of it.

The great temptation at such periods of public distress is to multiply the machinery of charity. This tends at once to encourage imposture, for the new laborers in the field are probably less experienced and more anxious to increase the number of cases to relieve; the expenses, too, of agency are increased. The existing machinery of charity of a large city is nearly always sufficient for any great public distress if it be judiciously enlarged.

Those agencies should be especially encouraged by the public, which employ house-to-house visitation, or which provide labor for the poor by transferring them to some place where work is in demand. This, of all the remedies in the United States for poverty, is the most natural and most permanent. The honest and industrious poor, transported from a large city to a Western State, where their labor is in demand, will seldom become paupers again; will immediately add to the wealth of the country, and will bring up children who will, in all likelihood, become producers. The expense of this method of charity, though apparently consisting largely of expenses of distribution, — that is, of salaries of agents and railroad fares, — are in reality less than those of any other method, as the person relieved is entirely removed from the community which is in distress, and seldom becomes chargeable again upon it, while he immediately adds to the wealth of the country.

Among charities those are not necessarily the most useful which supply most directly the bodily wants of the needy. The first duty of a community like the American is not to feed the hungry and clothe the naked, but to prevent people from being hungry and naked. Educational and preventive charities are those which most truly and permanently benefit the country; the alms-giving charities should only be resorted to in dire necessity.

OUT-DOOR RELIEF.

The great question between out-door and in-door relief cannot be settled in a new community with the same precision that it could be in an old one. There seems to be little doubt that out-door relief, enforced by law, has been a great promoter of pauperism in England, and that the workhouse test applied to "the valiant beggars" of that overcrowded community has been, on the whole, more successful than the distribution of charities among outside families. In Ireland, also, where out-door relief has been mainly given up, there has been a great decrease of pauperism. There can be no question that if out-door assistance comes to be considered a right by the great body of the poor, it will inevitably tend to encourage pauperism. The reforms

introduced in England by the Poor Law of 1834 were in the direction of diminishing out-door relief, of employing the workhouse test, and of compelling paupers to be cared for in public institutions.

In both England and Ireland, where pauperism had become such a disease of the body politic, it was deemed indispensable to apply the severe workhouse remedy, but in this country, out-door relief, as employed by the officials in small rural communities, has commonly been productive of good, and has not been widely abused. A little assistance from village authorities to a poor family, whose father has suddenly died, will frequently prevent the children from falling into permanent pauperism. It often happens, too, that the father or mother of a laboring family is suddenly disabled by sickness, and the whole family, if not temporarily aided, would be driven to the poorhouse, where they would certainly acquire the habits of paupers. A little temporary assistance to such a family preserves them to the community as industrious workers. There is a good reason for the aversion of our New England poor to the country poorhouse; it is a healthful feeling and should be encouraged.

Out-door relief can, of course, be easily abused. In a large city it is peculiarly liable to be perverted into a means of "bribery and corruption," or to scatter relief among the undeserving. If it becomes too strictly a matter of custom or of law, it tends to foster improvidence and dependence. It is a machinery which must be handled with great discretion and judgment, and some good observers have gone so far as to recommend that in all our large cities its use should be entirely abandoned by the public authorities. While we cannot concur in this, we are confident that in many, perhaps most of these cities, out-door relief has been greatly abused at various times; that it has encouraged pauperism, has assisted the undeserving, and has been often merely the distribution of a political fund.

In regard to this distinction in public alms-giving, which is spoken of in America by its English names of "in-door and out-door" relief, something is to be said by way of explanation and caution. It will not do to reason from English facts and English experience in this matter to the facts and the experience of American communities, even in our great cities. The terms used on the two sides of the ocean have not the same signification; and this will be seen by a few figures. Mr. Vallance, a well-informed Englishman, who read before a social science meeting in London, four weeks ago, the last paper on out-door relief which has reached us from the mother country, states the whole expenditure for out-door relief in England, at present, as about £3,500,000, or more than $18,000,000 in a year; while the cost of in-door relief is but £1,500,000, or some $8,000,000 yearly. That is to

say, less than a third part of the pauper expenditure of England is now for in-door relief, while more than two thirds (to be exact, seven tenths) of this cost is expended for out-door relief. Now, nothing of this sort is known in the United States. There is not a State nor a city wherein the cost of public out-door relief exceeds that of in-door relief, and in most places it is less than a third part as great. In the city of Boston the cost of out-door relief is less than two fifths of the whole pauper expenditure; in the whole State of Massachusetts it is between a fourth and a third of the whole; in the city of New York, according to official figures, it is but little more than a tenth part; in Philadelphia it is not a fourth part. It is therefore plain, at a glance, that the abuses of public or legal out-door relief are much less flagrant in this country than in England.

These figures may be put in another form. On the 1st of July, 1873, the whole number of paupers reported in England and Wales, with a population of scarcely 22,000,000, was 822,523, of whom 650,000 were out-door and only about 172,000 were in-door paupers. That is to say, in the season of the year when out-door relief is most amply provided by nature for the poor, and consequently, when the Poor Law Guardians have the least occasion to furnish it, they do, in fact, maintain or aid nearly four times as many persons outside of the almshouses or workhouses as are supported inside. Now, in the State of New York, it is safe to say that on the 1st of July, 1873, there were more than twice as many persons inside the almshouses as were receiving relief outside; and in Massachusetts the proportion was fully as great; so that the relative abuse or necessity for out-door relief must have been six or seven times as great in England, last summer, as in New York or Massachusetts; and the same can be said of Pennsylvania, for which the statistics of pauper relief have been carefully collected by the State Board of Charities, as is the case in New York and Massachusetts.

STATISTICS OF PAUPERISM.

It must also be said, in regard to the American recipients of out-door relief, that it would be unfair to reckon them as permanent paupers. They are self-supporting the greater portion of the year, and are only dependent on the authorities for a very small portion of their subsistence. It is in estimating these persons as paupers, and in counting them two or three times over, that such fearful statistics of pauperism have been deduced from the records of American cities. Could the actual figures of the number and cost of relief administered by public authorities in these cities be correctly given, they would show the incorrectness of one high authority on this subject, Prof. Henry Fawcett,

who, in his volume on pauperism, states the cases of out-door relief in Philadelphia (p. 56), of 110,000 in 1869, or about double the number (57,821) really relieved both in that city and the whole State of Pennsylvania; of whom probably less than 15,000 were receiving relief on any given day.

The statement of Professor Fawcett includes many persons reckoned twice, thrice, or perhaps ten times during the year when the relief was furnished in Philadelphia, and, if correct, would show that nearly every sixth person in that city was a pauper in 1869. According to Professor Fawcett, one person in twenty in England, one in twenty-three in Scotland, and only one in seventy-four in Ireland is a pauper. Using the same basis of computation, we should perhaps find one person in one hundred was a pauper in New York, Pennsylvania and Massachusetts, the three States in which pauperism in America is most common. A few years ago the Pennsylvania authorities put a series of questions in regard to out-door relief to the officials in the different counties. The first is: "Does the giving of out-door relief prove to be permanent or only temporary?" The answers were thirteen for "temporary," nine for "permanent," and ten "permanent to a great extent." Another question: "Does it encourage pauperism by encouraging persons to apply for public aid who would supply themselves if they were to receive support only in almshouses?" The answers were, twenty, "It tends to increase pauperism," and eight, "It does not." Similar questions in Massachusetts show a different ratio of answers.

American statistics of pauperism, though seldom perfectly trustworthy, show approximately a condition of things in this regard, in our most populous communities, less alarming than had been supposed. Compared with England, our pauper position is favorable; yet it cannot be denied that pauperism advances in New York City, and probably elsewhere, with rapid pace.[1] In Massachusetts, as a whole, it is not advancing, but rather, in comparison with the increase in population, it is diminishing. In Pennsylvania, the statistics are as yet too recent to show whether it is advancing or diminishing; but in all our large cities the tendency is for pauperism to increase. Some of the encouragements

[1] The New York *Times* of May 23d said, in remarking on this report, "England and Wales have, in a population of 22,000,000, a permanent army of 1,000,000 persons, more or less dependent on public charity; that is, one person in every twenty two is, to some extent, tainted with pauperism. We have not come to that pass yet, but we are advancing very rapidly toward it. The Social Science report puts down the average pauperism of this State at one per one hundred of the population. New York is, of course, greatly above this average, and during last winter the ratio of its pauperism to its population was exceptionally high. It is probably within the mark to assume that from January to April there was an average of one person in every fifty in receipt of charitable relief in this city. Let the times be good or bad, a repetition of such methods as were employed last winter may be depended on to produce similar results."

to this evil we have stated in this report while speaking of the recent experience of New York City. The true and best preventions of pauperism are a thorough and discriminating supervision of all charities, public and private; the most careful attention to the education and employment of the poor and their children; the placing of pauper children in good families, at a distance, if possible, from degrading associations; a rigid and exact system of in-door relief, accompanied with labor; the reduction of out-door relief in cities, and the encouragement of emigration to rural districts from the crowded centres of poverty and crime, which most of our largest cities now have become. The position of New York in this respect is exceptional, because it yearly receives a quarter of a million immigrants from foreign countries, and this exposes it to peculiar evils and dangers. While this should be borne in mind, it should not be made an apology for neglect nor an occasion for abuses, but should lead to increased vigilance and activity on the part of its magistrates and citizens.

(Signed) W. B. Rogers, *Chairman;* Dr. S. G. Howe, Charles L. Brace, Mrs. S. Parkman, Mrs. Henry Whitman, John Ayres Lucy Ellis, George S. Hale, Charles F. Coffin, Robert T. Davis, F. B. Sanborn, *Secretary.*

THE DISCUSSION.

Rev. Dr. John Hall, of New York, who had been invited to speak upon this subject, opened the debate as follows: —

"I have listened to the paper with extreme satisfaction. I don't believe there is a single sentiment in it which I cannot heartily indorse. There could not well be a more just and accurate representation of the state of things in this city at the beginning of last winter after the panic. There cannot be anywhere a more generous community than this city furnishes. When it was seen that the panic had insured wide-spread distress there was an immediate rush to increase and enlarge the machinery of benevolence. Announcements were made ostentatiously by private citizens, by ward politicians, that the poor would be cared for at any cost, and the result was a rush from this and the adjoining States, making the condition of the city, during the winter, exceptional. I think there has always been a rush of field laborers to New York for the benefit of its institutions during the winter. This I am assured by people who live upon the high roads near the city, that they always recognize, at certain periods of the year, the "tramps" coming toward the city, and at the proper season returning. They could not be said to beg their way, but they presented themselves at farm-houses and demanded food, and it was given to them because the farmers thought it the safest thing to do. This fact is indicative of the growth of a dangerous class, a class alleging impossibility to procure employment and sustenance, and founding a sort of demand as a right for support. It seems to me that there is no sort of excuse in a

country like this, with its immense natural resources, and its demand everywhere for labor, for the existence of such a class. In no department of human life is the statement more true than in the department of benevolence, that 'The people are destroyed for lack of knowledge.' They will not take the trouble to think; they give way to sudden impulse and resent any interference. If the paper to which we have just listened had been read in December, in New York, it would have been met with a howl of indignation, and drowned by the voices of some of the best people in the city. Those principles were once stated to a large body of representative business men of this city, which, immediately after the statement, took action in direct contradiction of them. The principles that are stated in that paper were announced again and again in the beginning of the winter. I think the tendency all over the land is in the direction of weakening, rather than strengthening, the family ties. I think there is danger just now of making it too easy for unprincipled parents to relieve themselves of their children; too easy for careless people in the lower strata of society to shake themselves free of those whom, by the arrangements of the Creator, they are invested with the name of parent. For instance, a wife dies and the man tries to get rid of his children by abandonment, and *vice versa*. Economy was not thought of beforehand. A man who would annually think that he was likely to die at any time, and who would, for that reason, annually put something in the savings bank for his wife and children, would be the better for the thought. The ordinary and natural motive to thrift and economy and wise providence is gradually destroyed, and in the name of benevolence; and the man who should be saving and a stronger and better man for his self-denial, has the motive taken away. As the ordinary charitable institutions are constituted, there is a little competition for business which works mischief. A secretary wants to have a large showing of results. I think, after a careful examination, that some sections of this city are being rapidly demoralized and degraded by competition among churches and societies, and, moreover, incredible as it may seem, this demoralization is done, not at the expense of private individuals, but at the expense of the public through funds regularly voted by legislative bodies. I know of no direction in which this Association can better expend its strength than in trying to carry a little intelligence on this subject to those who vote away the public moneys, $5,000 at a time, under the predatory system, generally called politics, among us."

Mr. J. W. Skinner, of the Children's Aid Society, New York, next spoke, dwelling chiefly upon out-door relief. Pauperism was like an ulcer which gradually undermined the health of the body politic. Wherever out-door relief had been put in practice, pauperism, so far from being checked, had invariably continued to increase faster than before. The only systematic and well-working charity was that which was accompanied by work. But it was the prevention, not the cure, of the disease that was the primary consideration, and the speaker believed that the only possible way of checking pauperism was by educating the lower classes.

Dr. Nathan Bishop did not think compulsory education would be-

successful. He spoke of what he called the street schools, — academies where children learned to repeat a fearful catalogue of home suffering. There were thousands of children in this city who went from door to door repeating the sorrows of their home, the suffering, the poverty of their parents. They went to the kitchen-doors, and the servants believed their stories. These children were taught daily lessons of this kind of story-telling by men and women who profited by their gains, and the result was, that at least 6,000 children were every day going about in this way, becoming chronic liars, and getting schooled in crime and vice of all kinds. When they grew up, what were they going to do? They dropped into the worst forms of degradation. They made up the worst of our dangerous classes in the end. Then there were the children who beg in the street. He illustrated the evil of this street-begging by telling how, one winter's day, he had met two little girls, bare-legged and ragged, begging. He noticed several gentlemen give them money, and he asked them several questions, and finally told a policeman that he thought they were impostors, and that they had shoes and stockings hidden in the neighborhood. This, on investigation, was found to be true, and their shoes and stockings and shawls were discovered under a near-by woodpile. This kind of deception, he said, was very prevalent in the city. It was a kind that did more than anything else to swell the current of vice and crime and pauperism in the city. His advice was not to give anything to the street-beggars, or to to those who called at the doors of dwellings. Let those in want go to the regular places of charity. Then, again, never listen to those who meet you in rags at night time, or call at your doors, complaining and whimpering and asking for aid. In 999 cases out of 1,000 they were frauds who followed this way to make a living, and who, in the day-time, went about well dressed.

Dr. Hall was asked to give the result of the attempt made last winter to establish in New York a bureau of charities, and did so briefly, saying that the principal obstacles to the success of the bureau were the unwillingness of one large society to assist it, owing to a misunderstanding of its objects, and the opposition of a large religious denomination. It was to ferret out impostors and to make charity reach only those who were in real need, that the Bureau of Charities was established, — a sort of clearing house of charities. The great majority of the charitable institutions responded to the plans of the bureau; but there were a few which refused to cooperate. No one could have walked the streets during the past winter without being struck with what is very humiliating, — the observation that this city is rapidly travelling in the track of the worst capitals of Europe, in the direction of abundant street paupers. Many of them are of the fancy kind, made

up for effect, purely spectacular, intended to operate upon the generous sympathies of the people at the moment. Others are quasi beggars, — among them the street musicians. When I think of the many poor boys and girls who are being trained in that way in this city, educated in the worst direction, I must anticipate a crop of the most adroit thieves and the most abandoned women within the next few years. I find that one society, admirable in its principles and organization, whose operations extend over the whole of the city, states in its printed report that there were 20,000 persons, impostors, in this city living by the misdirected charity of the city. We have the Commissioners of Charities and Correction to look after paupers and criminals, — a most unfortunate grouping, — who expend $1,250,000 per year. We have the Commissioners of Emigration to attend, with certain restrictions, to those who come to our shores, who expend over $600,000 per year. There is more than $1,750,000 per year. But take the 20,000 who are living by fraud and imposture. These people live very comfortably. It is very low to put their living at a dollar per day. That makes over $7,000,000 a year going into the hands of the most degraded and corrupting class in the community. What is our reward? These clever cunning, degraded people, despise and laugh at us, and think that our very Christianity is something that only gets hold of people who are a little soft in the brain. Men have very much to unlearn, and then much to learn, before they will get courage to persevere; and then, though they may not accomplish all they desire, they bequeath a trust to their fellow-creatures for them to carry out.

Mrs. Caroline H. Dall, of Boston, moved that the paper be printed as a pamphlet in an edition so large and a form so cheap as to permit of its being widely circulated gratuitiously. In speaking for Boston, she fully indorsed all that had been set forth as resulting from the ill-organized method of distributing alms, and cited instances as coming within her own experience immediately after the Boston fire, and during the late distress among the poor.

Dr. Davis said that inasmuch as so much commendation was bestowed upon this paper, he felt it his duty to state that he had not prepared the paper himself, and that it had been simply revised by the committee of which he was a member.

Mr. Robert H. McCurdy spoke of the progress of pauperism in this city since he was a young man. In 1833, he lived on Fifth Avenue, near Tenth Street, and in the neighborhood was an immense number of shanties. Great poverty existed among the inmates, and it was traced to the same cause which is now really the cause of pauperism — the rum shops. Everybody in those days drank freely, and in all the social customs of the day liquor was never wanting. Rum was really at the

bottom of all our poverty, and when we swept away the rum shops we would have undermined the pauperism and made a clear and bright way for a better future for that class of people who are now suffering from want and misery.

MR. JAMES M. BARNARD, of Boston, also spoke, relating some of his European observations on pauperism in Italy and Germany at different periods.

REPORTS OF COMMITTEES.

During the first session of the Conference a committee was appointed, consisting of F. B. Sanborn, of Massachusetts, W. P. Letchworth, of New York, and Henry H. Giles, of Wisconsin, to report a plan for the Uniformity of Statistics, and a better coöperation among the Board of Charities throughout the United States. At the second session, on Friday, May 22, this committee made a preliminary report, to the effect that it was desirable to have the statistics of pauperism, crime, insanity, and the other topics discussed in the board's reports, made as completely as possible upon a uniform plan, and include a general statement of all the facts for the whole State in which the report is published, and asked further time to prepare a form for use by the different boards. It was also reported that a plan for better cooperation between boards could not be prepared without some correspondence with all the boards, and further time was asked for, which was granted. It was stated that a conference in the spring of 1875, at Buffalo or Detroit, had been proposed, and would probably be called. Dr. Bishop, for the Committee on Public Buildings for the Poor, the Insane, etc., made a preliminary report setting forth the present evils of extravagant architecture, and asking time for the preparation of a more complete report, which was voted. It was also voted that the Chair appoint a committee of five to consider the condition of destitute and delinquent children, and the prevention of pauperism.

In the debate on Dr. Bishop's report, the latter spoke of the unsatisfactory condition and unsuitableness of the buildings now used for the detention and cure of insane persons, and of the amount of money expended on them.

Mr. Sanborn spoke of the plan in Massachusetts to build a new state prison at a cost of $2,000,000 when it was quite useless to expend so much money upon that object. Dr. Bishop spoke of the bad influence of giving the rascals and rogues who were preying upon society better accommodations than honest men. Dr. Stephen Smith said one essential point was, that each building, hospital, prison, or reformatory,

should be built with a regard to the peculiar wants of the class for which it was designed. Many of those in New York had failed, particularly the inebriate asylum, for the reason that they were too much like prisons. Mr. Letchworth, of Buffalo, defended the expenditure of the public money on public institutions.

On motion of Dr. Elisha Harris, it was voted that the Committee on Public Buildings and Structures be empowered to add members thereto, and to fill vacancies.

The Conference then adjourned.

THE STATISTICS OF CRIME AND PAUPERISM.

The Committee appointed at the Conference of Boards of Charities to consider a plan for Uniformity of Statistical Reports, have met since the Conference and considered a form of Questions and some suggestions relating thereto, prepared by Dr. Harris, of New York, and submitted to the Committee by Mr. Letchworth, of the New York Board of Charities. Although it is doubtful how far these questions can be generally used in all the States, the Committee print them here, for the public information, along with the concise and clear summary of the subject by Dr. Harris.

THE PROPOSED FORM OF QUESTIONS.

Registered No. of the Individual.

1. Age and birthplace.
2. Existing cause of dependence (if a disease, give its name and how long existing).
3. Which of the five special senses is lost or badly impaired? (From what cause?)
4. What other natural faculty or bodily power is lost?
5. Capable or incapable of self-supporting labor?
6. What trade or kind of employment?
7. What kind of mental or moral perversion, or what morbid and debasing conditions of mind?
8. (To what causes are these mental and moral states attributed?)
9. Is there proof of insanity, inebriety, epilepsy, paralysis, special feebleness of mind and body, or any other entailment of bodily misfortune from parentage in this person's history? (Illegitimacy, syphilis, and crime should be noted, if in any way concerned as causes in this case.)

Special Causes.

10. Old age and destitution.
11. Permanent disabling disease. (Write the name of it.)
12. Temporary disabling disease or sickness.

13. *A.*[1] Homeless childhood. (Illegitimate or abandoned.)
    B. Homeless childhood. (By death of mother.)
    C. Homelessness, by abandonment of father or husband.
    D. Ignorance of letters and common knowledge.
    E. Had the mother similar misfortune?
    F. Had the father similar misfortune?
    G. Had the grandparents similar misfortune?
    What other branches of the family are known to have had the like misfortune?
14. Is there a near consanguinity in the parents? (Write what kind.)
15. What trade, or kind of employment, did this person ever learn?
16. (Why was it abandoned?)
17. Had this person (or his or her parents) habits of idleness?
    Had they habits of thrift and saving; or not?
    Were they paupers?
    (Father, *F.* Mother, *M.* Grandfather, *Gf.* Grandmother, *Gm.* Brothers, *B.* Sisters, *S.* Uncles, *U.* Aunts, *A.*)
18. At what points in the family history, or hereditary line of this case, did dependence upon public or private charity commence?
19. (What was the first mode of public dependence?)
20. At what point did neglect of social and moral duties commence?
21. What vocations have the unfortunate and dependent branches of this family pursued?
22. Could father (and mother) read and write?
23. Were they openly immoral, sensual, and debased?
24. Has this person (or his or her parents) lived in ignorance of the laws and obligations of society?
25. Has this person (or his or her parents) lived in ignorance of the laws and obligations of religion?
26. What number of persons in his or her mother's family are now known to be dependent on public charity?
27. What number in grandparent's family have suffered like misfortune?
28. Total number of such unfortunates in the three generations, living and dead?
    Total number in the same group of families, who are not suffering these misfortunes?
29. Total in do. insane (living and dead) of the three generations.
30. Total idiotic or weak-minded in three generations (living and dead).
31. Total inebriates in three generations (living and dead).
32. Total who have been in penitentiaries or State prisons in three generations (living and dead).
33. If a parent, how many children now living?
34. What is their condition,—are they in almshouse, asylums, hospitals, refuges, etc., etc.? (Write the fact.)
35. Is this person capable of self-support without the direction and control of superior authority, or constant advice and supervision?

[1] Use these letters to indicate the misfortunes to which they respectively refer.

36. Does this person, or his or her parents (guardian) express a willingness to submit to the needed direction and supervisory care?
37. What is the chief cause and evil, now within reach of remedies?
38. What appears to be the destiny of this person as a dependent, as respects recovery from the causes of dependency?
39. What relatives have ability and are liable for the support of this person?
40. Why not so supported?
41. In what other institutions was this person a dependent?
42. How many years (months) has this person been publicly dependent?

EXPLANATIONS OF THE QUESTIONS.

(*Extracts from the Correspondence of* ELISHA HARRIS, M. D., *Cor. Sec'y of the Prison Association, with the Board of Charities of the State of New York.*)

NEW YORK, *May 20, 1874.*

"As the Executive Committee of the Prison Association, on Thursday evening last approved and ordered the circular and a schedule of inquiries for use of all Prison Committees, I have so framed the whole as to make the points we seek, in this field to correspond, and to be pressed forward with inquiries to be made by the State Boards of Charities, as I hope their schedules of points will provide. It will be apparent to that no statistics which have been gathered in your Reports of 1872, or 1873, will be of any use to guide the needed inquiry into causes and increase of pauperism, etc. The question is, what is the pathway by which each person arrived at the state of misfortune and dependence?

"As in our inquiries (for the Prison Association) into sources of crime, we must go back to the home and the two preceding generations of parentage, so in the record of misfortune and dependence, the physical, mental, moral and social defects are linked with nearly all personal histories found closing up the series of woes at the doors of the Almshouse and the Asylum. The educational and early disciplining and industrial record of every inmate whose history is accessible in the Almshouses and the Asylums and Refuges, will need to be obtained, and upon that basis of twenty thousand individual records, in sixty counties in which an expert physician or educator has given attention to every record, conclusions can be reached which will command the attention and study of the world. It will be too great a task for any one mind to frame and inspire those inquiries; but what is worth doing at all in this field is worth doing well."

June 5th, 1874.

"It has given me some pleasure to arrange the outlines of a system for an inquiry into the causes that produce increase of pauperism, insanity, idiocy and crime. The final draft of a *method*, and the requisite questions and forms, have been completed in a shape that would enable all thoughtful citizens to see that certain investigations are practicable, though no State in America has ever attempted such inquiry in a thorough manner. Our new Schedule of Inquiry into Causes of Crime, is in harmony with the outlines I have sketched for inquiry into the Causes of Dependence, for the consideration of your Board."

I. *Propositions for the consideration of the Board of Charities and others, who desire the Improvement of the Laws and Means for the Care of Dependents:* —

1st. To secure in each county a local and expert committee of 3 or 4 persons to serve gratuitously in aiding the State Board of Charities, to obtain and perfect the first schedule of records which shall be gathered during the present year. The members of such committees to be persons already familiar with the history of social misfortune and want in their respective localities.

2d. That the supervision of the duty and methods of obtaining the first schedules of these records, be assigned to the Secretary or a Select Committee of the Board of Charities, as that Board may provide.

Finally. That all such records shall be summarized during the month of December.

To aid in *starting* such inquiries, the following outline of suggestions and available methods of record for the first schedule, to be filled out on or before Dec. 1st, 1875: —

Necessity for exact information as a basis for definite and suitable plans of improvement of the laws and methods to provide for the pauper and other dependent classes: —

The necessity of acquiring such information, and bringing it under a practical kind of analysis, is such, that the first summary of the records to be so studied will need to be prepared before the legislature proceeds to prepare amendments and new drafts of laws. Secondly, the first series of inquiries may be so framed as to serve as a basis for a permanent method and system of record of the dependents, of every class, as they are added to the public lists. Such information as this preliminary inquiry calls for would give wise direction to further efforts to prevent the causes of dependence.

II. *Dependent Classes that Receive Public Care and Support, are Rendered Dependent by* —

MISFORTUNE,	Physical, Mental, or Social;
OR BY — VICES AND ERRORS OR WRONGS;	in daily life and personal relations, or of habit, temperament, or of neglect of moral and social obligations.

The information which is required concerning these classes extends to present conditions, and the chief causes concerned in perpetuating the burden or duty of the care and support of these persons.

Every record should show kind and degree of *Disability;* the bodily and mental states connected therewith; the *ability* to be restored or elevated to a self-supporting condition; and a statement of the means required, or remedy wanted. The personal and hereditary causes which admit of statement should be mentioned.

III. *Misfortunes that Induce Pauperism.*

1. Injuries and diseases of the body, or the loss of any one of the special senses. Inherited or acquired feebleness of bodily or mental organization.

2. Mental or moral perversion, whether exhibited in voluntary pauperism, morbid or debased states of mind, or in actual insanity, — which is a disease, — or in the enfeeblement and perversion of mind which follows upon epilepsy, paralysis, and other diseases.

3. Insanity, Dementia, and Idiocy being dependent essentially upon bodily causes, that tend to self-entailment, are great misfortunes; and as they increase the like evils in successive generations, the perfect supervisory care of them is most necessary, and all that medical and moral means can do for their benefit should be done promptly, and at public cost when family wealth is not available.

4. The social misfortunes relate to whatever impairs or vitiates home life and the family and domestic ties. The rupturing of families, the early orphanage of children, especially the loss of a mother's care, immoral license of illicit relations, bastardy, and the social condition of illegitimacy, criminal dishonor or imprisonment of parents or of children and youth, truancy and vagrancy in childhood.

5. Neglect of education and any failure in mental development; failure to learn a useful occupation, and to acquire habits of industry and accountability are all linked with the other social, mental, and moral causes of pauperism and dependence.

6. Bad dwellings for the poor and ignorant classes, and the domestic and local causes and circumstances of unhealthful dwellings conduce to pauperism and the causes of public dependence. Hence the neglect of the ignorant poor by the well-to-do classes, and the failure to improve their domestic and social state, conduce to pauperism.

7. Neglect to provide skillful and timely medical and sanitary care for the needy and ignorant, is a prolific cause of conditions which induce pauperism and all kinds of dependence on public support.

8. The neglect of moral and religious instruction and training, the neglect to correct criminal offenses and misdemeanors; and any flagrant neglect in the proper enforcement of just laws, enter into the social causes of increase and perpetuation of pauperism and other sources of burden by dependent classes.

IV. *Vices and Wrongs which Induce* PAUPERISM *and the Increase of the Public Burden Caused by* DEPENDENT CLASSES.

(*A.*) Intemperance of the individual and of parentage in successive generations.

(*B.*) Idleness and the neglect of habits of saving and self-support.

(*C.*) Sensuality, debauchery, self-indulgence in any way, and a disregard of law and moral obligations.

(*D.*) The parental abandonment of children, — foundlingism, — the neglect to rescue and save young mothers of illegitimate offspring, and a like neglect or failure to save other youth who lapse from virtue, is a wrong that causes pauperism and crime.

(*E.*) Permitting the lines of hereditary pauperism, imbecility, insanity, crime, intemperance, and ignorance, to continue in successive generations, without interrupting them by the proper and available remedies and preventive means; these are *wrongs* as well as *vices* of society and individuals.

(*F.*) Want of timely advice and friendly direction, unsteadiness of plan and occupation in life, neglect to learn some useful trade or other employment, abandonment of home, vagrancy in any form, idleness and any needless dependence, revelry, sensual indulgence or licentiousness in any form and misdemeanors, disorderly conduct and crimes of any kind, strongly tend to produce destructive or disabling diseases of body and mind. These are active causes of decrepitude, social dishonor, insanity, idiocy and pauperism, not only in the persons offending and in their families, but in *successive generations.* The preventable causes of pauperism cannot be adequately understood or repressed without applying remedies to these evils which are chief sources.

V. *Points to be Noted.*

The recorder will please to carefully take notice of the following points, respecting the different classes of persons who are dependent: —

The Pauper should have the question of actual misfortune and disability distinctly answered, respecting the positive causes of such disability; so of the questions concerning idleness, sensuality, vagrancy, or spiritless social and personal degradation.

The abandoned or other homeless child should have the social and personal responsibility for such abandonment or homelessness stated with precise accuracy; also its age when abandoned, and when it became homeless.

The Inebriate should have his (or her) family and personal history carefully indicated in the record.

The Imbecile should have the questions of consanguinity of parents, of inebriety of either one, their pauperism and condition, and the degree of idiocy of the person or persons in question stated.

The Epileptic or the Paralytic need to have the kind and beginning of known causes of their misfortune stated.

The Insane should have the immediately active, and the remote and determining (physical or moral) causes and obviously connected circumstances carefully stated. The family or hereditary causes should be accurately given.

The Offender and the Criminal may be examined in accordance with this schedule, or in accordance with that of the Prison Association, with the same results.

At the conclusion of each personal record in this schedule, there should follow whatever remarks and further history the case may require, with reference to causes, relations, and remedies.

The following list of *circumstances* comprises the most frequent *events and variously combined causes* that are concerned in producing the condition of *Dependence* upon *Public Support:* —

BODILY DISEASE OR INJURIES.	1. Entailed by parents. 2. Acquired by intemperate and sensual habits. 3. Syphilis and impaired vitality. 4. By unhealthful dwelling places, or by continued sickness. 5. Ignorance and neglect of health, and the want of skilled medical care. 6. Wounds and bodily injuries. 7. The decrepitude produced by honorable hardships of war, of seafaring, and by particular calamities, particularly the loss of a special sense or faculty.
WRONGS.	8. Birth or youthful training in almshouse. 9. Youthful vagrancy. 10. Debased course of life, (mentioning what kind of debauchery.) 11. Illegitimate paternity. 12. Abuse or cruelty of parents or other persons. 13. Indolence. 14. Voluntary vagrancy, or any crime.
WANT OF EDUCATION, OR OF MENTAL AND MORAL CAPABILITY.	15. No education. 16. Want of knowledge and training in common duties. 17. Want of training in a trade or employment. 18. Ignorance of laws and moral duties. 19. Victims of bad associates or leaders. 20. Feeble minded. 21. Irreligion and recklessness. 22. Mental incapacity from insanity in any form.

The foregoing points indicate the kind of information required concerning all individuals of the Dependent Classes in Almshouses, Insane Asylums, and all institutions for idiots, orphans, foundlings, and other homeless children, and in the hospitals and other charities supported by public taxation.

From this point the schedule of questions may begin. Every dependent upon public support should (by name or number) be brought into this general record.

The separate classes of dependents may be reported upon in a special way, and upon *comparable points*, as suggested in the 4th, 5th, 6th, 7th, and 8th

points. The points 1 to 8 are for suggestions to insure systematic and thorough work by persons who make the records.

In transmitting the above papers to the Secretary of this Association Mr. Letchworth, of the New York Board of Charities, wrote as follows, on the 24th of June : —

Dr. Elisha Harris, Secretary of the Prison Association of New York, has been engaged in preparing a set of inquiries into the causes of crime. His questions have been approved, I believe, by the Executive Committee of the Prison Association, and will before long be issued to their committees. The State Board of Charities of New York have decided to make an examination into the causes of pauperism in this State, basing their work upon the fifteen thousand inmates in the various poorhouses and almshouses in the State. The inquiry will go back to parents and grandparents of each subject. This will be a laborious work, involving the directing of not less than six hundred thousand separate questions. The Legislature have made an appropriation to aid in carrying this work out. As it was considered desirable that whatever tables should be made, should be comparative with the work carried on by the Prison Association, Dr. Harris was asked to outline a plan for our work, and it is now being printed in such a form as to admit of revision and for the purpose of submitting it to others interested; a copy or copies of it will be sent you in a few days. My object now is to call your attention to what I deem the great importance of your taking immediate action as the Chairman of the Committee appointed by the various State Boards at the last convention of the American Social Science Association, to bring about harmony in the work of gathering statistics by the various State Boards. The work done in this State will probably not be gone over again for many years, and it seems to me of the greatest importance, that it should be comparative with whatever may be done hereafter in other States; and while steps are being taken to harmonize action in the work upon pauperism and crime, with due energy, it seems to me *all* the work to be done this year might be harmonized and made comparative. It has seemed to me that the only way to bring this desirable result about would be for you to correspond with and call together the Secretaries of the various State Boards, and after you had agreed upon a plan among yourselves, to submit it to the various Boards for approval, and have what is done this year done in a way it should be, instead of waiting for another year, when there will not be the incentive to unity that there now is, in view of the great work to be undertaken this year in the State of New York. Some of my colleagues incline to the opinion that uniformity of action can be brought about only with reference to the work relating to the *causes* of pauperism, insanity and crime; but I am strongly of the belief, that by prompt and decisive action all the work of the various Boards for this year may be brought into harmony. If it should be found that the plan for uniform action is not perfect, improve it next year. This will be better, I think, than to expect to make a perfect plan now. It is probable that after the Boards get working all together, modifications will need to be made in their plans every year. I sincerely hope you will deem this subject worthy of your earnest and prompt consideration.

In transmitting this letter to the Secretaries of the State Boards, the General Secretary wrote thus to each: —

I have copied this letter in order that your Board may understand the general nature of the New York investigations, before the forms and questions themselves come to hand. Meantime, permit me to ask you a few questions.

1. To what extent can the statistics of *your State* in regard to pauperism, insanity, and crime be made *complete*, so as to show what is the actual amount of those evils in your State?

2. To what extent can they be made uniform with those of Massachusetts, as given in the Reports of the Board of Charities in that State, or with a fuller and better method, if such is known to you?

3. To what extent can this be done in your next report?

The replies to this communication, and the general subject of Dr. Harris's forms, and the feasibility of adopting them, came before a meeting of the Committee held at Buffalo, on the 18th of July, and a report embodying the conclusions of the Committee will probably appear in the next number of the Journal, along with a preliminary report from the Committee of which Dr. Bishop is Chairman.

NEW STATUTES OF PENNSYLVANIA RELATING TO INSANITY.

(*Referred to in the Conference of Boards of Public Charities, p. 63.*)

These Pennsylvania statutes were passed during April and May, 1874, and are three in number; the first, giving the Pennsylvania Board of Public Charities power to appoint delegated visitors and make transfers of the lunatic poor to hospitals; the second, appointing a commission composed of three members of that board and of three medical superintendents of the insane, to examine and report on the condition of the criminal insane; and the third, providing for the better care and treatment of the criminal insane. They are here printed for general information, and particularly for members of Legislatures and Boards of Charities who may have such questions coming before them.

1. *A Supplement to the Act to create a Board of Public Charities (approved the twenty-fourth day of April, A. D. 1869), authorizing and empowering said board to appoint visitors, and to transfer certain insane persons from county institutions to State hospitals.*

SECTION 1. Be it enacted, etc., That the said board shall have power, by a resolution to be entered on its minutes, subject to such terms and regulations as it may prescribe, to designate three or more persons in any county, to act without compensation, as visitors, in said county, of the several poor-houses and other institutions therein, subject to the visitation of the board, in aid of and as representatives of such board; and all public officers and others in charge of such institutions shall admit to said institutions all such persons so designated, upon the production of a copy of such resolution, cer-

tified by the president or secretary of said board, to visit, examine, and inspect the grounds and buildings of every such institution, and every part thereof, and all its hospital and other arrangements, and to have free access to all its inmates. Any public officer, superintendent, or person in charge of any such institution, who shall refuse to admit any person so designated, or shall refuse to give said visitors all requisite facilities for the examination and inspection herein provided for, shall be subject to a penalty of two hundred and fifty dollars for each such refusal, which penalty may be sued and recovered in the name of the people of the State by the district attorney of the county in which such institution is situated, and the sum so recovered shall be paid into the treasury of the State.

SECTION 2. Whenever the Board of Public Charities shall be satisfied, or have good reason to believe, that any insane person in any county or district almshouse, or in the care of any person under the direction of the poor directors of any district, cannot there receive proper care and treatment, or is probably curable, said board or their representatives in the proper county, shall make application to the president judge of the proper county, in term time or at chambers, setting forth that such insane person cannot receive proper care and treatment, or is probably curable, and said judge shall, if the statements alleged are sustained by affidavit of petitioners, or other evidence to the satisfaction of the court, make decree that the officers in charge of such persons transfer him or her to one of the hospitals for the insane receiving aid from the State, where such person shall be received and maintained in the manner provided by law, at the expense of the district from which such person is transferred. Such expenses to be recovered by such district from such persons as may be liable by existing laws for the support of such insane person.

2. *Joint Resolution providing for a Commission to inquire into the Condition of the Criminal Insane of this Commonwealth and make Report to the Legislature.*

Be it resolved, etc. That George L. Harrison, Thomas S. Kirkbride, Joseph A. Reed, John Curwen, G. Dawson Coleman, and Heister Clymer be, and the same are hereby, appointed a commission to inquire into the condition of the criminal insane of this Commonwealth, and to report to the next Legislature what legislation is necessary to make proper provision for the insane; and should said commission report in favor of a separate institution for the care of the criminal insane, it shall be their duty to report a proper location and the probable cost of such an institution. Said commissioners shall be paid their actual expenses, while in the performance of the duties hereby imposed upon them, which shall be paid by the State Treasurer on the certificate of the chairman of said commission, out of any money in the treasury not otherwise appropriated.

3. *An Act to provide for the Custody of Insane Persons charged with or convicted of Crime.*

SECTION 1. Be it enacted, etc. That whenever any person is imprisoned within the Commonwealth, charged with or convicted of any crime whatsoever, application in writing may be made by the warden, superintendent,

physician, or any inspector of the penitentiary or prison in which such person is imprisoned, or by the general agent of the Board of Public Charities, to the court hereinafter named, or any law judge thereof; which application shall certify, under oath or affirmation, that such prisoner is believed to be insane, and shall request that such prisoner shall be removed to a hospital for the insane; whereupon it shall be lawful for any judge, learned in the law, of any court within this Commonwealth, having immediate cognizance of the crime with which such prisoner is charged, or of the court by which such prisoner has been convicted, to appoint a commission of three citizens of this Commonwealth, of whom one shall be of the profession of medicine, and one of the profession of law, whose duty it shall be to inquire into and report upon the mental condition of such prisoner; and if, in a report signed by a majority or all of the members of such commission, it shall appear that the prisoner inquired of is of unsound mind, and unfit for penal discipline, it shall be lawful for the judge issuing such commission, or for any other judge of the same court, learned in the law, to make an order under the seal of such court, directing the removal of such prisoner from the place of his or her imprisonment, and that he or she shall be received, maintained, and cared for by the hospital for the insane nearest to such place of imprisonment, and which shall or may receive aid or support from the treasury of the State; and that such patient shall be detained in such hospital until an order, as hereinafter provided, shall be granted by the said court, or any judge thereof, learned in the law, for the return of such prisoner to the penitentiary or prison from which he or she was removed, or for his or her discharge from such hospital.

SECTION 2. That in all cases where any person who may have committed any criminal act, and is dangerous to the community, shall be found to be insane in the manner provided by law, and in all cases mentioned in the sixty-sixth, sixty-seventh, and sixty-eighth sections of the act of thirty-first of March, 1860, relative to criminal procedure, it shall be lawful for any court having cognizance of the crime or offense with which such person is charged, to commit to either of the hospitals for the insane mentioned in the preceding section of this act, any such insane person, for so long time as such person shall continue to be of unsound mind.

SECTION 3. That whenever the superintendent, or other proper medical authority of any hospital for the insane, to which any patient shall have been sent under the provisions of this act, shall in writing certify to the judge or court, by whom the order for removal and detention has been made, that such patient has been so far restored to mental sanity as no longer to need the remedial or custodial care of such hospital, it shall be lawful for the said judge or court, if the term of imprisonment for which such prisoner was sentenced has not expired, to remand such prisoner to the place of imprisonment from which he or she was brought to such hospital, to serve out the unexpired term of sentence; or if such prisoner became unsound in mind after the alleged crime, and before conviction, to remand such prisoner for trial; but if the term for which such prisoner was sentenced shall have expired, or if the crime wherewith such prisoner is charged shall have been committed during his or her probable insanity, and in all cases provided for in the

second section of this act, it shall be lawful for the said judge or court to order the discharge of such patient from the said hospital.

SECTION 4. That whenever the term of sentence of any prisoner, sent to a hospital for the insane under the provisions of this act, shall expire while such prisoner remains uncured and a patient of said hospital, it shall be lawful for the judge or court, by whom the order of removal and detention has been made, upon the due application of relatives or friends of such patient, and upon proper surety being given for the custody and care of such patient, to make an order for the discharge of such patient from the said hospital, and his or her delivery to the guardianship and control of the person or persons applying therefor; and no person committed to a hospital, under any of the provisions of this act, shall be discharged therefrom otherwise than in the manner hereinbefore provided.

SECTION 5. That the expenses incurred for the removal of any insane person from a place of imprisonment to any hospital, or for their removal from such hospital in pursuance of the provisions of this act, and of his or her detention, maintenance, and care in the said hospital, shall be chargeable to and paid by the commissioners of the county in which the alleged crime, with which he or she was charged, was committed; and the said commissioners shall have remedy over against the poor district liable under existing laws, or against the estate and effects of every such prisoner, for the reimbursement of such expenses to the said county.

SECTION 6. That all provisions of any act or acts of Assembly inconsistent with or supplied by the provisions of this act be and the same are hereby repealed.

THE FARMERS' MOVEMENT IN THE WESTERN STATES.

By Willard C. Flagg, of Moro, Illinois, President of the Illinois State Farmers' Association.

Read Wednesday, May 20, 1874.

In attempting to comply with a request to furnish a paper on the "Farmers' Movement in the Western States," I find myself laboring under the double disadvantage of examining an incomplete social phenomenon with somewhat prejudiced eyes. As this disqualification, however, has not prevented critics of presumed culture and professed philosophy from indulging in the expression of adverse opinions of a very confident and positive character, I am glad of an opportunity in turn of placing before an Eastern audience of thoughtful men and women my own crude conceptions of a social controversy, which, whatever its origin and purpose, I believe is to result in another forward movement of the American people and a more complete realization of the principles underlying our Republican Democracy.

In all past ages the agricultural class, like, but more and longer than the other industrial classes, has by force, fraud, or cunning, been prevented from receiving a due share of the wealth it has created. To go no farther back than the age when vassalage began to give place to personal freedom, I take up the chronicles of Sir John Froissart and read his account of English seditions five hundred years ago, arising, as he reckons, "all through the great comfort of the commonalty." Yet in the same paragraph he tells us that it was "customary in England, as well as in several other countries, for the nobility to have great privileges over the commonalty, whom they kept in bondage: that is to say, they are bound by law and custom to plow the lands of gentlemen, to harvest the grain, to carry it home to the barn, to thresh and winnow it: they are also bound to harvest the hay and carry it home." Two hundred years later I find the half-century struggle of the Peasants' War at its inception in Germany. It was caused by oppressions, whose severity is implied in the twelve articles of the Swabian peasants' demands, and in the cruelties of oppressors and oppressed. Another hundred years and we find France, under the auspices of the magnificent Louis, preparing in the bad political economy of 1687 for the dread carnival of 1789. "One sees," says La Bruyère, "certain

wild animals, both male and female, scattered about the country, livid and roasted by the sun, bent over the soil which they scratch and dig up with invincible persistence; and when they stand upright they display a human face, for in truth they are men and women. At night they retire to their dens, where they feed on black bread, water, and roots. They spare other people the trouble of digging and sowing and reaping; they deserve not to be deprived of the bread they have produced."

So, allowing for differences in civilization, it has been in all ages. The robber baron, the mediæval merchant, the despotic tax-gatherer, reappear in merchant princes, "protected" manufacturers, "national" bankers and railway magnates. The "Westminster Review" (January, 1871) declares that the "United States is rapidly entering a new feudal age, in which industry pays its tribute to commerce, as in former times it did to the sword." The new time differs from the old in this respect, in "shifting the governing force from an aristocracy of class and caste to a plutocracy of money and commerce."[1] This is the natural and easily attained result in the Old World: it makes another irrepressible conflict in democracies.

But the common truth deducible from these five hundred years' experience is the same as that arrived at by the Massachusetts Labor Bureau concerning labor, when it states "that the great determiner of the earnings of labor, under the wage system, is, and always has been, *the cost of living*." There has existed somewhere the power to secure the profits of the products of agricultural as well as other labor, leaving a minimum in the hands of the tillers of the soil. Agriculture has thus necessarily been a system of spoliation. The landlord, the trader, and the transporter rob the agriculturist, the agriculturist robs the land, and arid and waste provinces remain to tell the story of bad husbandry necessitated by a worse political economy. Wealth accumulates with marvelous rapidity at the centres of trade and transportation, but slowly and painfully, if at all, in the rural districts. The farming regions of New England already show signs of depopulation and decay.[2] And yet in the great and often fierce discussion now pending of Labor and Capital — of Work and Wages — the men who do by far the largest part of the labor, and constitute half the population of our country, have hardly been thought of by our labor reformers or their opponents. The Hamlet that, in this nineteenth century tragedy of ours, plays the important part of chief producer, chief consumer, and chief taxpayer, seems actually to have been forgotten or reckoned of no practical importance in the contest until brought to the front by the

[1] *Atlantic Monthly*, May, 1871.
[2] Mass. Stat. of Labor, 1872 and 1873.

Farm Laborers' Union of England and the Farmers' Movement in our Western States.

Yet occasionally, at long intervals, sometimes blindly and viciously, the power of the agricultural class has made itself felt in our mediæval and modern social movements. The Jacquerie of France, mercilessly oppressed by the barons, rose in arms in Picardy, Champagne, and the Isle of France in 1358, and declaring, "That the nobles of France, knights, and squires were a disgrace to it, and that it would be a very meritorious act to destoy them all," proceeded to put their thought into deeds. In 1381, "the evil disposed," as Froissart calls them, of the men of Kent, Essex, Sussex, and Bedford, "began to rise, saying they were too severely oppressed; that at the beginning of the world there were no slaves, and no one ought to be treated as such, unless he had committed treason against his lord, as Lucifer had done against God; but they had done no such thing, for they were neither angels nor spirits, but men formed after the same likeness with their lords, who treated them as beasts. This they would not longer bear, but had determined to be free, and if they labored or did any other works for their lords they would be paid for it." You will recognize the unreasonable character of such demands as these.

Then to crown the absurdity, in Froissart's opinion, came "a crazy priest called John Ball," who from the text, —

> "When Adam delved and Eve span,
> Who was then the gentleman?"

Preached thus to the men of Kent: "My good friends, things cannot go on well in England, nor ever will, until everything shall be in common; when there shall be neither vassal nor lord, and all distinctions leveled; when the lords shall be no more masters than ourselves. How ill they have used us! And for what reason do they thus hold us in bondage? Are we not all descended from the same parents, Adam and Eve? What can they show or what reasons give why they should be more the masters than ourselves? except perhaps, in making us labor and work for them to spend. They are clothed in velvets and rich stuffs, ornamented with ermine and other furs, while we are forced to wear poor cloth. They have wines, spices, and fine bread, when we have only rye and the refuse of the straw; and if we drink it must be water. They have handsome seats and manors, when we must brave the wind and rain in our labors in the field. But it is from our labor they have wherewith to support their pomp." And Wat the Tyler and his men went up to London. From 1476 to 1524 the Peasants' War gathered force in Germany and pervaded Europe. A thousand castles and convents were burned and sacked. Tens of thousands of people were slain in battle or tortured and killed in captivity.

For at least a century before the French Revolution the peasantry of that country were systematically and even maliciously oppressed. "Let him do what he like," said De Tocqueville of the French peasant, "he cannot but meet at every step of his life these same neighbors (the Seigneurs) who interfere with his enjoyments, impede his work, consume his produce; and, when he has done with these, others, dressed in black, make their appearance and sweep off the clearest part of his harvest. Picture, if you can, the condition, the wants, the character, the passions of such a man, and estimate the store of hatred and envy he is laying up in his heart!" The time came when, to use the words of Mackintosh, "the peasants had to avenge these silent, grinding oppressions which formed almost the only intercourse of the rich with the indigent, and which, though less flagrant than those of Government, were perhaps productive of more intolerable and diffused misery." Each century has had its story of oppression, of long endurance and savage rebellion, ending in defeat and submission; until the Tory historian Alison might seem justified in saying that "ignorant, disunited men, drawn from humble employments, can never long remain at the head of affairs." But these were the John Browns of the Farmers' Movement, whose sincerity and singleness of purpose deserved success, though the means they used and the difficulties under which they labored necessitated defeat.

But as the intelligence, the ability, and the will to associate for the common good, become developed, a more determined and less savage resistance begins, and more positive efforts are made to promote the common welfare. The farmers and farm laborers of the world are among the last to combine. As late as ten years ago the author of "My Farm of Edgewood" complained that "there is no coherence of the farmers as a body, no trade-guild, no banding of endeavor to work a common triumph or ferret out a common abuse." Isolation, with its consequent lack of sympathy and power of combination, made this powerful class even as heretofore untrained, unwieldy and without influence. But the same irresistible law of progress that De Tocqueville recognized when he pronounced "the gradual development of the principles of equality as a providential fact," reaches peasant and prince at last, —

> "Æquo pulsat pede pauperum tabernas
> Regumque turres."

And now another century brings ano ther rising ofthe agricultural class under peaceful and democratic conditions, but provoked by the new feudalism of which I have spoken. Our nineteenth century Froissarts will wonder "from what a trifle the pestilence rages." They have intimated already that it happens "all through the too great

comfort of the commonalty." "When a horse or a mule was worth two prices, and a bushel of corn or of oats three," said a railroad officer to a "Tribune" reporter, "the silk dress got into the farmer's family, and they don't know now, when hard times have come, how to get it out." The normal condition of a farmer's family, we are to infer, does not admit of silk dresses, and the rural districts are unwarrantably extravagant. As the charge comes from a class of men paid higher salaries, in proportion to the ability required and the services rendered, than any other in the United States, you may fancy how kindly it is received. These veracious chroniclers are as free in the use of opprobrious epithets as ever, and regard the leaders of the Farmers' Movement as crazy and communistic.

But I do not doubt the earnestness and thoroughness of the convictions that give the movement strength. Resistance began where oppression was most felt, and where there was the greatest ability to resist it. This was in the Western States, where cheap lands and a fertile soil attracted a large body of emigrants from the more intelligent and enterprising of the agricultural classes. These comprise in the Northwestern States more than half the population instead of 30 per cent., as in all New England, and 12 and 13 as in Massachusetts and Rhode Island. The products of their labor are far in excess of local consumption, and a large surplus, seeking the less productive regions of the sea-board, and an outlet for export, must pass through the hands of dealer and transporter. This production has been stimulated by railroads pushed into the prairie wilderness almost in advance of settlement, and endowed with lavish gifts of public lands, which in turn are liberally advertised and attractively sold. The wants of these people, so far as not satisfied by local production, must be supplied through the same channels. The result, under the existing system, is high charges on the part of transporter and trader, increasing the cost, but lowering the price of farm products, so that even in most favorable seasons the occupation may become unremunerative, and men grow poor in the midst of plenty, although there is a demand for their products at a good price on the sea-board.

But it was found, when the discussion was once started, that the Western farmers were by no means the only sufferers. A circular sent out over a year since by the Department of Agriculture elicited from returns from over half the counties of the Union, the fact that a small minority of the reports expressed no discouragement. "The leading difficulty in the West," says the statistician, "and a prominent one in all sections, is the burden of railroad transportation." Middle men, and the monopolies formed by their combination, are pronounced a "terrible scourge," especially in some of the Atlantic States. Upon these two

abused functions of trade and transportation, the agricultural population instinctively fixed, and subsequent discussion has shown they were not far wrong.

From these as immediate causes, I believe, the Farmers' Movement began. It appropriated such existing organizations of the agricultural class as seemed best adapted to its purpose. The agricultural societies, or boards of agriculture, whose chief function was the holding of an annual exhibition, were generally passed by; but the Farmers' Clubs, organized for discussion and mutual instruction in the art of agriculture, and the Granges of Patrons of Husbandry, whose original object was educational and social, came nearer what was needed, and were appropriated, multiplied, and turned upon the new work. The loose organization and early mortality of the clubs, and the secrecy and prohibition of political discussion in the granges, were drawbacks to their efficiency; but in spite of them organization has gone on rapidly. In nearly every State of the Union enough local granges have been organized to make the organization of a State Grange admissible. Probably one million persons belong to that order alone. On the first day of January, 1874, they were strongest in the order named in Iowa, Missouri, Indiana, Illinois, Kansas, Mississippi, Georgia, and Minnesota, none of which had less than four hundred granges. The number of clubs is less attainable. In Illinois, on the first of January, there were not far from nine hundred with a membership of forty-five thousand persons.

The example of these rapidly forming organizations reacts upon the labor organizations; and we find them increasing their numbers and changing their form to something analagous to the Patrons of Husbandry. The old trades-unions are strengthened, or, what is better, tend to become more fused into a class organization, with broader and less selfish purposes. Sooner or later all these industrial classes promise to join hands in the common name of *Labor*, whose rights, heretofore antithesised against capital, must rather be stated as Lincoln put the case in 1861: "Labor is prior to and independent of capital. Capital is only the fruit of labor, and never could have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration." If this be true, it is evident that the legislatures, the executive officers, and the judiciary of our States and nation, have heretofore spent an undue amount of time in incorporating, looking after, and doing the business of capital, in the shape of railroad, banking, insurance, and other corporations devised for the purpose of enabling privileged classes to average higher profits than common men could individually gain. And it is evident that a government based on the idea of the political equality of all men is by no

means performing its proper function in building up a plutocracy. Thus the movement which began with the agricultural class gives new life and energy to our labor reforms, and promises to become a general, movement in the direction of political reform, independent of all existing political organizations.

The discussions which ensue in ferreting out the causes of existing ills are most valuable in exposing abuses and educating the people to more radical theories than have yet been accepted by those who have thus far controlled legislation. In the light of these discussions further insight is obtained into the more remote causes of the Farmers' Movement. Many of these equally affect all the industrial classes, and some of them call for the attention of all fair-minded men of whatever pursuit in life. They are by no means class grievances — although even a class grievance affecting from half to three quarters of the population is a serious affair, — but national disasters, in the highest degree detrimental to the producing classes on whose prosperity the welfare of the country depends. I will enumerate some of them.

I. The wealth of the country, although the product of the labor of our industrial classes, in great measure, does not remain in the hands of those classes, but accumulates in the hands of a relatively small number of non-producers. Compare the increase of the wealth engaged in different investments from 1850 to 1870 in the United States, according to the census: —

	1850.	1860.	1870.
Total Wealth	$7,135,780,228	$14,159,616,068	$30,068,518,507
Agricultural Wealth	3,967,343,580	7,980,493,063	11,124,958,737
Manufacturing Wealth . . .	533,245,351	1,009,855,705	2,118,208,769
Mining Wealth	-	-	222,384,854
Fisheries	-	-	7,469,575
Total Industrial Wealth . . .	4,500,588,931	8,990,348,778	13,473,021,935
Total other Wealth	2,635,191,297	5,169,267,290	16,595,496,572

Assuming these figures to be sufficiently correct for our purpose, we notice immediately a wonderful difference in the rate of increase of industrial as compared with other wealth during the last decade. In the decade 1850-60 the various classes of wealth enumerated increased at very nearly the same rate. But in the period between 1860 and 1870 the agricultural wealth of the country increased but 40 per cent., or 4 per cent. per annum, and the manufacturing and mining wealth 110 per cent., or 11 per cent. per annum. The increase of all the industrial wealth was about 50 per cent., or 5 per cent. per annum, while the wealth of the country not industrial increased 200 per cent., or 20 per cent. per annum, or 4 and 5 to 1 as compared with the industrial and agricultural wealth. This statement may be qualified by the fact that

the industrial classes have considerable amounts invested outside of their occupation; that there is more "inflation" in the estimated wealth not agricultural, etc. Yet the undeniable fact remains that the industries of the country receive no fair share of their earnings.

The actual *production* of wealth by the industrial classes, and its percentage on the capital invested is far greater, than the above figures would indicate.

	Capital invested.	Persons employed.	Earnings 1870.	Earnings per Head.	Earnings per Cent. of Capital.
Agriculture.	$11,124,958,73	5,922,471	$2,447,538,628	$413	22
Manufactures	2,118,208,769	2,053,966	1,743,898,200	849	62
Mining . .	222,884,854	154,828	138,823,303	896	62
Fisheries. .	7,469,575	20,504	1,642,276	461	22
	$13,473,021,985	8,151,269	$4,331,402,437	$531	32

Two facts are here significant — the relatively and absolutely low earnings of agricultural labor, and the fact that low as they are they are far above the actual increase of wealth in agriculture. If a comparison could be made of industrial labor with professional and other occupation the ratio would of course be much smaller.

All this constitutes a most serious charge against the political economy of a country in which such things are possible. Think of the facts and the necessary consequences if such a state of affairs be permitted to go on! Agricultural wealth in a new and fertile country, increasing at the rate of 4 per cent. per annum, while the non-producing wealth increases at the rate of 20 per cent.! How long can such a course be run and not renew the ancient story of serfdom, or familiarizing America with the ignorance, degradation, and suffering that disgrace the English agricultural districts to-day?

II. The conditions and often the direct causes of this extraordinary difference in prosperity as compared with the nearly uniform rate of increase between 1850 and 1860 are, I believe, mainly legislative. The more cunning, unscrupulous, and corrupting hand of corporation and capitalist has moulded legislation to its will in its own interest. It has been quite possible to do this, because the industrial classes whose interests are equally involved are represented in our national and State legislatures by persons having little or no economical interest in common with them. An analysis of the employments of the members of our present Congress shows the following extraordinary facts: —

Agriculture, employing 5,922,477 persons, is represented by 26 farmers and planters, or one for every 228,000 persons.

Professional and personal pursuits, in which 2,684,793 persons are engaged, are represented by 228 lawyers, 12 editors, 8 physicians, 2

professors, 2 civil engineers, and 1 hotel proprietor; in all 248 members, or one for every 10,800 persons.

Trade and transportation, employing 1,191,238 persons, are represented by 32 merchants, 11 bankers, 2 railroad managers, and 1 stage proprietor; 46 in all, or one for 26,000 persons.

Manufactures, mechanics, and mining, employing 2,707,421 persons, are represented by 11 manufacturers and 2 miners, or one for 208,200 persons.

The occupations of 33 members is not given, or unknown.

Such a body, however honest and free from the influence of unworthy motives, could hardly be expected to understand and appreciate the needs of the agricultural nor of the other producing classes. Its whole composition is opposed to the idea of representation according to interests involved.

If we examine our State legislatures we find in many instances a very similar state of affairs. Illinois is eminently an agricultural State; yet it has but 8 farmers in its Senate of 51 members, and about 40 farmers in its House of Representatives of 153 members. Although the State contains but 3¼ lawyers for every 1,000 of her people, yet the members of this profession comprise by far the most numerous class in her legislature, and 19 of her 21 members of Congress are lawyers.

But while the industrial interests are thus scantily represented or misrepresented in Congress, we are told that some 80 of these Congressmen are directors and stockholders in national banks; a large number are interested as directors, stockholders, and attorneys in the railway corporations of their own and other States; a smaller number are directly and indirectly interested in protected manufactures. The remainder are members of the legal fraternity, not generally the ablest or best of their class, habituated to taking the fees and arguing the cases of all comers, and not always clearly distinguishing the duties of the representative to his constituency from those of the advocate to his client. On a smaller scale, and with considerable variation and qualification, the same facts appear in our State legislatures.

III. The consequences are what might be anticipated. Legislation is shaped to directly meet the interests of those engaged in legislation, of the classes to which they belong, or by which they are retained. Hence we have, first and worst of all, legislation whereby special privileges are given, or attempted to be given, to a favored few in perpetuity to tax the public. The railroads, which practically are now the highways of the country, are turned over to corporations that claim the rights of public corporations, but refuse to perform their duties. The practical result is, that the whole transportation of the country, but especially freights from the West to the sea-board, and from non-com-

peting points, is compelled to pay a heavy tax over and above the necessary cost of transportation. Every bushel of wheat or corn or other article produced in excess of home consumption has its price depressed far below its proper value, whether it be transported or not. The ten States of the Northwest, producing annually more than a million bushels of grain, find the market value of this grain depressed from 20 to 25 cents per bushel by extortionate charges for transportation. You can see what vast possibilities for ill-gotten gain on the one hand, and enormous loss on the part of the farmers of the West are implied in that statement. Hence it come, that the railroads of the United States, having at the end of 1872 a capital stock of $1,647,844,123, and claiming a total cost of $3,159,423,057, according to Mr. Poor, although generally extravagantly built and often dishonestly managed, paid 5.2 per cent. on their alleged cost, and nearly 10.5 per cent. on their capital stock, while the agricultural wealth of the country was increasing barely 4 per cent. per annum.

Again, take banking corporations, such as are now organized in our national banks, and we again see the result of special privilege conferred by law. The same capital is permitted at once to draw 5 or 6 per cent. coin interest, and 8, 10, or more per cent. currency from private persons. The figures from the last report of the Comptroller of the Currency, for 1976 national banks, on the 12th day of September, 1873, gave these results, as aggregates :—

Capital stock	$491,072,616 00
Surplus fund	120,314,499 20
Undivided profits	54,515,131 76
Gross capital	$665,902,246 96
Loans and discounts	$940,233,304 22
Bonds to secure circulation . . .	388,330,400 00
Bonds to secure deposits	14,805,000 00
and securities . . .	8,824,850 00
Other stocks, bonds, and mortgages . .	23,709,034 53
Total amount drawing interest .	$1,375,902,588 75

An amount nearly thrice the original capital stock is drawing interest; over 35 per cent. has been actually added to the capital stock; the capital stock itself is paying by this showing 20 per cent. per annum; and according to the declaration of the banks themselves, nearly 14 per cent. This also is better than a profit of 4 per cent. in farming.

State banking, fire and life insurance companies, incorporated by

general or special acts, give similar results, though not from such large investments of capital, nor with such extraordinary powers of monopoly.

In many of these and in some other cases the corporations organized claim practical immunity from responsibility to the power that authorized their existence; but use the special privileges granted by that power to tax and often oppress the individuals whose sovereignty and interest that power is supposed to represent.

IV. Legislation and other governmental powers are in like manner used to confer special privileges less objectionable in their character than those I have just mentioned, but often very onerous while they exist. Of this class are "protective" tariffs and patent "rights." In both these cases the representatives of the people attempt to do indirectly what they dare not do directly. It is conceivable that direct bounties to encourage the establishment of manufactures, and pecuniary reward to meritorious inventors, may be sound public policy, but what are we to think of a policy that not only taxes the people for more than the cost of direct subsidies, but lays the foundation of monopolies that extort from the consumer from four to five times the cost of production? Yet such we find to be the cause of the enormous profits on reapers and mowers, sewing-machines, and the high cost to consumers of iron, salt, lumber, etc., compared with the expense of production. Here, especially, in the "ways that are dark" of Congressional lobbies and departmental corridors, does the manufacturing or "royalty" speculator follow his lucrative pursuit, which is to end in the consumer paying $75 for a sewing-machine that is made for $15, and $200 for a reaper that cost $50. This, too, is more than 4 per cent. per annum.

V. Leaving the discussion of direct special privileges granted by legislation, we next elicit the fact that taxation, national and State, is to a great extent levied upon consumption, that is, upon the person, and little upon property, which theoretically, it is conceded, should bear a large portion of the burden; and, furthermore, that where taxation of the wealth of a State has been attempted, it has been the tangible or visible property of the industries, and especially of the farm that has paid the tax in a very unequal degree. Take our national revenues, derived, according to the last report of the Secretary of the Treasury, about 58 per cent. from customs, 35 per cent. from internal revenue, and the remaining 7 per cent. from miscellaneous sources. The 35 per cent. from internal revenue is derived mainly from tobacco and spirits. The 75 per cent. of the population engaged in production pay three quarters of this tax, although they own less than half the wealth of the country. The revenue derived from customs is assign-

able in nearly the same way; and I feel safe in saying that 70 per cent. of our national taxes are paid by men owning 45 per cent. of its wealth; in other words, that the wealth of the producers pays three dollars national taxation for one of the non-producers. Take our State taxation, and we find in most States of the Union that in attempting to assess and tax all kinds of property, tangible and intangible, the result has been a failure to reach the invisible property to a great extent, while the farms, live-stock, shops, and tools of the industrial classes and country districts have been almost exhaustively assessed. In Illinois, where agricultural wealth is a little more than half the total wealth, the agricultural taxation is estimated at from 60 to 75 per cent. of the whole, or from 10 to 25 per cent. more than is just. This is the kind of taxation to which wealth paying 4 per cent. per annum must submit, while the more profitable capital of the country escapes by paying from one third to one half that rate.

VI. The legislation of Congress upon the money or currency question, while baneful to all classes engaged in legitimate trade and manufactures, has been specially injurious to the agricultural class, and only helpful to their worst enemies, the great speculators in railway stocks and their allies. Our currency now has a nominal value of say 90 cents, as compared with the gold dollar; and practically we might expect to buy and sell in that currency at an advance of say 12 per cent. on former prices. But the facts are far otherwise. Corn, wheat, flour, and lard averaged the same or a less price in the New York market during the last five years than they commanded in gold during the five years preceding the war. But coffee and tea have nearly doubled in value, and sugar increased 38 per cent. Taking a wider range of articles, I find that seven articles of agricultural production — mostly exported — wheat, corn, flour, cotton, leather, mess beef, and lard, have increased in value only 5 per cent. over the gold prices of 1855–59, while four important articles of farm consumption — generally imported — coffee, cut nails, sugar, and tea, advanced in price 40 per cent. Thus the tillers of the soil are selling for less and paying far higher prices than at any time during the last twenty years, because our currency is depreciated.

VII. As a combined result of the opportunities afforded by vicious legislation, we find that an unusually large proportion of the population has engaged in trade and other non-productive employments. Speculation and a large element of uncertainty pervades all business. Monopolies founded on the special privileges granted by legislation are made more permanent and mischievous by private conspiracy. Railroad and other transportation companies combine to fix rates, publishers to fix the price of school-books, and manufacturers to sustain

the prices of plows. We have "rings" in legislation, "corners" on 'Change, and "pools" in railway earnings, that threaten to throttle all honest and honorable trade transportation and toil. Such is the condition of our country, under which first of all the agricultural class, but ultimately all the industrial classes, must succumb, unless capable of resistance and reform. All these abuses, discussed in the light of a more intelligent and pronounced Republicanism, tend to build up a new political organization, which, appealing to the first principles of the Declaration, comes forward to abolish the new slavery with which corporate wealth threatens us, and to put out of the way some of the baser forms of class privilege that now infest our Democracy.

It seems to be the law of American politics, perhaps of Anglo-Saxon politics, that parties must be replaced by parties, organized on more radical principles and fighting their way to success because of the more inherent justice and enthusiasm of the ideas they advocate. Success brings contentment and quiescence — and conservatism — a perpetuation and defense of existing facts, good and bad. Another party, more radical, arises in the progress of democratic ideas, and attacks newly-discerned abuses, and marches on with success to more advanced schemes and practices of government. Such, at least, has been the experience of the two parties of the country. The Democratic party, denounced and feared in its inception as revolutionary and atheistic, rose rapidly to power, held it long, abused it, and sinks to a dishonored grave. The Republican party of 1856, stigmatized as abolitionists and agrarians, deriving its inspiration from the principle of universal equality laid down in the Declaration, became the great party of the country because it was founded on an undeniable principle of right. To-day, seated in the high places of power, by the weakness of its ancient and fish-like enemy, rather than its own strength, it can scarcely keep its skirts clear of corruption, nor meet the demands again arising for radical reform. It is now on trial — the question yet undecided whether John Law is to be our patron Saint in Finance, and Queen Elizabeth, of gracious memory, our holy mother Monopolist. Should the Republican, like the Democratic party, furnish complete evidence of its inability to meet the new duties that the new occasions have made, the near future will show a new and radical organization based on the same corner-stone of equal and exact justice; but whose fight shall be war to the knife, with the semi-legalized but unjust privileges of chartered monopolies. *Sic semper tyrannis.*

The Farmers' Movement in the Western States means, then, first an advance in intelligence and ability on the part of the tillers of the soil; secondly, a recurrence of one of those periods not uncommon in

history of unusual oppression and distress caused by bad government, and resulting in rebellion on the part of the oppressed; and finally, an effort to reverse the unwise legislation that has, in the guise of corporate and other monopolies, created, fostered, and perpetuated a Shylock aristocracy, whose nobility compels no nobleness, but, insatiate, plunders rich and poor with a cruel impartiality.

The result I think will be to carry to yet more logical conclusions the principles of our Republican Democracy. It is a part, and an important one, of the general movement among the manual workers of the world. It partakes of the nature of that irrepressible conflict which overthrew one form of oppression, and is as inevitable as the progress of Democracy on the earth. It means that the time draws nearer when the cunning of the hand shall be directed by the brain of the worker — and not by the beck of a taskmaster. And *that* means a more equal division of profits — a more pleasant life for the laborer and a simpler and more republican life for those who would thrive by others' toil. Our agricultural colleges and polytechnic schools — the very free schools of our country districts — make it the more certain: for intelligent labor will not submit to the brutal despotism of corporations, and will demand and have its rights. And so far as the agricultural class are concerned, it is not a suddenly taken, inconsiderate action. The farmers of the country, above all others, have given hostages to fortune, not only in wife and children, but in houses and lands, herds and crops. They are by necessity conservative in action, but they have a keen sense of justice and have endured at least so long as endurance is a virtue.

THE DISCUSSION ON MR. FLAGG'S PAPER.

President Woolsey then invited discussion on the papers read.

Judge Bolles, of Norwich, Conn., said there were two faults in the paper just read, both of which related to its indefiniteness in giving the *raison d'etre* of the movement of the opposition of the farmers to the railroad companies. He thought that if there were no railroads there would be no farms, or at least the area of farmable land would be so small that the scope of labor would be reduced. The next difficulty is the question of *pro ratâ* charges. The rate of carrying wheat from the West to the East was $2\frac{4}{10}$ cts. per cwt. per mile. If that rate were adhered to it would make the cost of transportation to New York about sixty-four cents per bushel. Another singular fact in this matter was the inconsistent attitude of the farmers towards the railroad corporations, as to their mode of incorporation, and as to the bonding of towns and counties for railroads. In these cases it was always claimed that the roads were private property, and that it was oppressive to bond the

towns for their support. So soon, however, as the farmers found that they would like to control the rates of freight on the roads, they set up an entirely new plea, and claimed the power and right to control them on the ground that they were public corporations. He thought there was one point which determined whether there was any merit in the Farmers' Movement. The parties who put their money into these roads expect and are entitled to a fair per centum of return for their money. Before the farmer begins to cry out so loudly, he might well ascertain first whether these roads are making such enormous profits and paying such large dividends. According to the best authorities on the subject the average profit of the railroad companies was about four and one-half or five per cent. on Western roads, and about seven per cent. on Eastern roads, reckoned on the cost of building the roads.

Mr. Bradford, of Boston, said he was struck by the allusion in a paper by Professor Gilman to the Chinese question. The great wave of population originally swept from the East toward the West, and had now made its circuit of the world. To-day we witnessed the marvelous spectacle of this westward-bound surge beating against the eastern wall from which it had started, and the centuries upon centuries of Chinese education and history, and its religion 4,000 years old, brought into immediate contact with a history of twenty-five years. It was indeed a wonderful problem, and one of the grandest ever presented to the human mind for solution. He had also been struck by the remarks on the farmers and the railroad question as being one intimately associated with the subject of the other paper. Both presented considerations in common, as the latter embraced a question of labor in conjunction with the cheap Chinese labor problem. As he (Mr. Bradford) construed the immediate subject under consideration, it was not to be settled by any amount of controversy between the farmers and the railroad companies, but it was a question of currency purely. Gold, in the long run, determines the depreciation of currency, and in like manner the price of the whole grain crop is determined by the exported portion. The farmer raises it at currency prices and disposes of it at gold prices, and the gold appreciation exceeding the currency depreciation, there is no fair ratio of return. The question was not one of the railroads and the farmers against each other, but purely one of specie payments, and when we return to that basis of currency the railroad and farmers will find that the question between them is settled.

At the conclusion of Mr. Bradford's remarks, President Woolsey, in a few words of praise invited Samuel B. Ruggles upon the platform. Mr. Ruggles, who held a copy of the condensed return of the census of 1870, denied the position taken by the farmers, that they were the poorest class of the community, and said, —

They live well, and with an average capital of $1,200 they enjoy an average income of $400. They have grievances in common with us all. We are all cursed with the same pest; it is this detestable rag — paper money. Down with paper money should be their cry. (Applause.) The transportation question is not the main one; the work is immense, far beyond the real capacity of the railroads to accomplish. Ample water communication and hard money are the farmer's war notes by which he will permanently and honorably win.

MR. RUGGLES also said that the people of ten States lying north of the Ohio River owned, in 1850, farm property valued at $914,000,000. The population of these States had doubled in the past ten years. In 1870, the value of this farm property was $5,132,000,000. The value of the farm products was not given in 1850 and 1860, but in 1870 it was shown in these States to be $978,000,000. The farmer was not a serf. He had no tyrannical landlord to oppress him. It was shown that 975 out of every 1,000 farmers in this section owned their farms. In twenty years they had accumulated $5,000,000,000 worth of property. The census of 1870 showed that there were 2,000,000 farmers. This would give an average amount of $2,400 to each. It is shown that they had paid their help less than ten per cent. of their income. They had paid $91,000,000 for help. It was shown that each and all of these poverty-stricken farmers (laughter) above the age of ten years were in the receipt of an income of $400. In the light of this great progress what would be the result in the year 1900? In 1850, there were raised 300,000,000 bushels of grain in those States; in 1860, 500,000,000 bushels; in 1870, 810,000,000 bushels, or 21,000,000 tons of grain. Of this amount 10,000,000 bushels must be carried from the lake ports. He had been a canal man all his days. What is needed is that the canal shall be enlarged. Steam is now triumphant. The railroads must disappear and give place to water transportation. Canada is better governed than the United States, for she has appropriated $6,000,000 to facilitate water transportation. The Canadians will yet carry grain from Lake Michigan to Montreal for $3.50 per ton. It costs $6.45 per ton to bring it to this city. We must have more adequate canal transportation or Montreal will divert the trade of New York to the St. Lawrence.

The Secretary said it was proper on account of the criticism made, to say that Mr. Flagg was a hard-money man, and was continually urging that question upon the attention of the farmers of Illinois. The debate here terminated.

OCEAN LANES FOR STEAMSHIPS.

A Paper by Professor Benjamin Peirce, of Cambridge, Mass.

Read Wednesday Evening, May 20, 1874.

The union of the words ocean and lane in the title of this paper may seem rather strange. It may appear forced to speak of lanes in the pathless ocean, where there are no hedges to limit them. Without undertaking to refer to the authority which might perhaps be of value, that of one of our earliest friends, that venerable siren who used to lull us to sleep with the duet between the man of the woods and the man of the sea, I will simply say that as it is a good one, it is very expressive, and I think it will therefore be adopted on the same principle which regulates language as well as every other commerce, that of the law of supply and demand.

The present paper lays no claim to originality or even to novelty. It will perform its desired function, if it should have any influence to effect a systematic organization of the paths of the Atlantic steamers, so as to remove the principal source of the dangers of collision. It aims to arouse public attention to the rapidly increasing magnitude of the peril, and induce action before there shall come the irresistible logic of terrible disasters following close upon each other. Such disasters have already occurred, and even at an early period, when the danger was not one twentieth part of what it is now. When the number of steamers shall be tenfold what it is to-day, which will occur in the next generation, each steamer will be exposed to ten times the peril, and as their number is tenfold, the whole number of collisions will be one hundred fold its present number. There will be as many in a year as there are now in a century, and every year will have its cruel record of these fearful accidents. The necessity of protecting the ocean from this danger, by assigning fixed limits to the routes of the steamships, was first considered as early as the year 1855, in a correspondence between the late M. F. Maury and numerous ship-owners and underwriters. This correspondence originated, I believe, with R. B. Forbes, Esq., of Boston, and I think it was then that the expressive designation of "ocean lanes" was introduced. The subsequent investigations of Mr. Maury referred especially to the ordinary sailing vessels and purely mercantile steamers, which ships should avoid

the proposed lanes just in proportion as they are occupied by swift steamers, for whose use they are intended. The subject has recently been taken in hand by Prof. Von Frieden, of the North German Observatory, who has collated the routes of the various German steamers, and deduced from them what he regards as a proper route for each month in the year, and in each direction. They are easily understood by a reference to the chart. It must be observed that the meridian of greatest danger is that 50° west of Greenwich. This is the meridian of the Banks of Newfoundland, with its dense fogs, its squadrons of fishing-smacks, and its stranded icebergs. It is of the first importance to decide at what point this meridian shall be found, and this point decided, it may not be necessary to impose any other restrictions as to the route to be pursued. All the western passages of the German routes cross the meridian of 50°, between the latitudes of 46° north and 43° 42′ north. The average length of these routes is only about six miles longer than the shortest route which could be pursued, but they cross the Great Banks near their widest and most dangerous part. The eastern German passages are of two classes for the three winter months of October, November, and December, which hardly differ from the shortest possible route, which is exactly the route for October. In the nine remaining months the passages are north of the western routes, crossing the meridian 50° between the latitudes of 44° 38′ north, and 42° 30′ north. The two routes of May and June are included within the limits actually adopted for the western routes of the Cunard Line, and are thereby exposed to peculiar risk in the two months when there is the greatest danger from fog and ice. These lanes of the German astronomer are at present propositions, and have not been adopted by either of the lines. The objections to these are that they occupy too great a breadth of the ocean, and especially the whole extent of the Great Banks; that they are different in different months, thus losing the advantage of a single well-defined track, and introducing perplexity and confusion as to which month each steamer properly belongs in; that the opposing routes of different months overlap each other, and especially that the more southern of the eastern routes lie exactly in the track of the Cunard Line on their western passage. The tracks which have actually been adopted by the Cunard Line are defined with extreme simplicity, and are in a very few words published in all the advertisements: "With the view of diminishing the chances of collision, the steamers of this line will henceforth take a specified course for all seasons of the year. On the outward passage from Queenstown to New York or Boston, crossing the meridian of 50° at 43° latitude, or nothing to the north of 43°; on the homeward passage crossing the meridian of 50° at 42° latitude, or

nothing to the north of 42°." The singular brevity, conciseness, and completeness of these directions mark their author as a man of genius. They are dictated by a regard to that security of life which is the first duty of the carrier of passengers. For this the Cunard Line deserve infinite credit. They have sacrificed everything else to the safety of their passengers. It is part of the system which has made their extraordinary good fortune, and I believe the same restriction will have to be adopted by all other lines. There is no sound reason why others should not be compelled to it. What will be the loss in a passage? Forty miles, and only forty miles. Only three hours lost in the whole passage; and the more ships you have on that line the more safety you have. It is a case of safety in numbers. The ships would be too near to run into each other, and in case of accident could help each other. In a fog seamanship goes for nothing. You can have no dependence on the skill of a commander. Remember that you can't see the ship's length, and when a ship comes in upon you, she's on you — the thing is done.

The Cunard Line can unite most of the lanes so as to reduce the dangers to the least amount, and being the same at all seasons there would be no uncertainty regarding them. I venture, then, to press upon this Association the expediency of using its influence to induce the other lines of Atlantic steamers to adopt the Cunard routes. It is essential to the success of the system that it should be universally adopted. I am sure you will regard the object as worthy of the earnest action of the Association. It is important to consider the agencies through which the system must be introduced, whether there be any action of Government which will be required, or whether the whole subject should be left to the ship-owners and underwriters. Some clause introduced into marine policies might be wise and effective, and it might be well to subject all the logs of the steamers to some officer of acknowledged judgment, from whom an unfavorable report would be received as a serious sentence, and one greatly to be dreaded.

But even when the lanes are established there will still remain considerable danger, unless the steamers are required to assume a uniform speed — say of ten knots an hour — during the continuance of a fog. If the ships on this line went at different rates of speed there might be a danger. Let them all run at a given speed in fogs — say ten miles — and they are safe and secure from collision. There would only be the chance of a disabled ship lying helpless in the path, an evil that can be guarded against. And all this, I think, is not to be done by any state action. Let the underwriters insist on a clause in policies making the right to damage depend on the position of a ship hurt in a collision. Another point of value would be to require every

ship to send in its log at the end of a voyage and let the captain be publicly fined, at a nominal rate, if he crossed the meridian at the wrong places. No captain could stand that often. But I believe that the captains will be the men most ready to coöperate in this scheme and to assist in carrying it through.

With these suggestions I leave the subject in the hands of any committee which may be appointed.

APPOINTMENT OF A COMMITTEE.

At the conclusion of Professor Peirce's paper, MR. ROBERT H. MCCURDY, of New York, moved a resolution that a committee be appointed to give the subject careful attention.

MR. GEORGE WALKER seconded the motion, relating several incidents as occurring in his own experience, and showing the extreme caution adopted and displayed by the captains and officers of the Cunard Line.

MR. SAMUEL B. RUGGLES, of New York, said the Chamber of Commerce had already forwarded a petition to Congress urging the passage of a resolution offered by Senator Conkling to authorize President Grant to appoint a Commissioner on this subject as soon as other nations shall have appointed Commissioners, to decide upon some international understanding and agreement on this question. He thought, therefore, that it would be best to authorize this proposed committee to confer with this Government officer or officers on the matter.

JUDGE PEABODY, of New York, opposed any such limitation of the powers of the committee, as they would be powerless should the Government not take any action. He thought it would be best to give the committee general power to urge the subject by all proper means and through all proper channels. Letters from George W. Blunt, of New York, and R. B. Forbes, were then read, after which the resolution was adopted.

The following gentlemen were appointed by the Chairman as the committee to act in concert with similar committees appointed in England and Germany: Hon. C. P. Patterson, Superintendent of the Coast Survey, Washington, D. C.; Messrs. Charles H. Marshall, W. D. Morgan, Robert H. McCurdy, Samuel D. Babcock, and George W. Blunt, New York; Professor Benjamin Peirce, Messrs. R. B. Forbes, and James Sturgis, Boston; Messrs. Francis R. Cope, Charles Platt, and J. Vaughan Merrick, Philadelphia; Thomas Whittredge, Baltimore.

RATIONAL PRINCIPLES OF TAXATION.

A Paper by David A. Wells, Esq., of Norwich, Conn.

Read May 20, 1874.

The elements of sovereignty — State or political — are in the main two: control or jurisdiction over *all persons*, citizens of the State or body politic, and control and jurisdiction over *all things* within the territory over which sovereignty is exercised. Without the possession of these powers there can be no complete and independent sovereignty — in fact no stable government; and we may even go farther and assert that the difference between different forms of government essentially resolve themselves into the manner in which these powers are exercised. Thus a government, whatever be its name, is despotic just in proportion as their exercise is arbitrary, capricious, and unlimited; and, on the other hand, a government is truly free just in proportion as their exercise is restricted from abuse, or just in proportion as the paramount good of the whole State is made a condition of their using.

The history of the rise and growth of these restrictions on sovereignty, which is the same thing as the history of civil liberty, has this curious feature, overlooked it seems to me in a great degree by historians; namely, that progress in the direction of freedom and intelligence in respect to the manner and extent in which the sovereignty of the State shall exercise authority and jurisdiction over persons, and the manner and extent in which it shall exercise authority and jurisdiction over property or things, has not been and is not now coextensive and coördinate. Thus, contrary to what might have been expected, the struggles for greater freedom between the people on the one hand, and despotic rulers on the other, during the sixteenth and seventeenth centuries, will almost always be found to have had their inception in arbitrary acts committed by the rulers in respect to property rather than in respect to persons; a condition of things travestied in the story of the merchant who, when stopped upon the highway, truthfully exclaimed in his fright, "Spare my money, O good Mr. Highwayman, but take my life."

For example, to confine our illustrations to English and American history, the people of England in the sixteenth century do not appear to have felt especially aggrieved, and certainly manifested no opposition, when Henry VIII., in the exercise of his despotic will, succes-

sively sent his ministers, his nobles, and wives to the scaffold; but when without the consent of Parliament he undertook to levy a tax upon his subjects, a very large proportion of the population rose in insurrection, with the cry that they were "English and not French, freemen and not slaves," and the king had to retract. During the reign of Elizabeth also, the use of the torture and the rack were regardedas legitimate functions of government, and scores of persons were arbitrarily and without arraignment or accusation subjected to imprisonment, and none of these things occasioned general popular indignation; but when, in 1601, the prerogative of sovereignty was exercised over trade and commerce to such an extent as to create grievous monopolies of salt, iron, leather, and the like, the popular agitation rose to such a degree that nothing but prompt concession, according to Macaulay, "saved the monarchy from a shameful and disastrous termination." And coming down still later, the matter of complaint at the outset, in the war of our Revolution, was rather that the rights of property had been violated by the mother country, inasmuch as the people were subjected to taxation without representation, than that they had been restrained of any liberty in respect to their persons.

On the other hand, within the present century especially, the direct relations of sovereignty to persons, have been so well defined and restricted in the interests of freedom that little now remains in English-speaking countries to be accomplished. The right of ownership in one's person, the freedom from arbitrary arrest, the writ of *habeas corpus*, liberty of speech and of worship, trial by jury, exemption from excessive and unusual punishments — all these are now so well established and incorporated in the spirit and letter of the laws of constitutional governments that they have ceased to be matters of controversy, or even topics of conversation. But in respect to the methods by which the State shall exercise sovereignty over property there has been of late comparatively little progress in the spirit of liberty and intelligence, if, indeed, there has not been retrogression in the spirit of injustice and despotism; and the people, at least in the United States, apparently content with limiting the right of eminent domain to strictly public purposes, and coupling its exercise with the condition that just compensation shall be made for private property taken for public uses, and also with restricting the initiation of all laws providing for the taking of private property for the necessities of the State in the form of taxes to the representatives elected directly by popular suffrage, display little further interest in the questions whether the powers thus delegated to their agents are exercised in the spirit of freedom and equity; whether they tend to promote an equal or unequal distribution of property; and, above all, whether they tend to elevate or lower the standard of public morality.

In support of this view the following may be cited as illustrations and examples: The war of the rebellion was undertaken for and in the end accomplished the abolition of that form of slavery which denied to a class of persons in this country the ownership of their persons and the full enjoyment of the fruits of their labor; and yet the war, after effecting all this, left upon the statute-book the principles of slavery in another form intact. For any system of law which arbitrarily and for the purpose of benefiting special interests affirms that one person may trade freely with a second, but shall not with a third, thereby denies to the persons subject to that law the enjoyment of the highest right of property, namely, its free exchange, takes from them a part of the fruits of their labor for the benefit of others, and therefore of necessity reaffirms the principle of slavery. The argument that is generally put forward in justification of such legislation, that any present injury to individuals or society will be fully compensated by some future indirect good, is just as legitimate and relevant as the plea that certain people used to put forward in justification of negro slavery, that it really was for the good of the persons enslaved, and that any sufferings by the slave for the good of society — meaning thereby the masters — would be fully compensated in the world to come.

Again, during the present month, May, 1874, a member of Congress rose in his place in the House of Representatives and presented a bill providing for the levying of an income tax of five per cent. on the income of all persons when the same shall equal $5,000; and a tax of ten per cent on so much of the income of all persons as shall be in excess of $5,000; and the other members of the House sat by and heard the proposition and no man entered a protest against its reception. And yet there was a principle involved in this same proposition which, if adopted and recognized by any government in time of peace, would rightly debar it from any just claim to the title of free and sink it in truth to the level an Eastern despotism. To make this clear, let us suppose that it had been proposed to tax the incomes of red-haired men five per cent. and those of red-nosed men ten per cent., and to exempt all others, or to do as once actually was done in England, under an income tax law enacted in 1691 — tax Catholics at rates double those imposed on Protestants. Is it to be supposed that if any member of the House of Representatives had seriously risen with any such proposition that he would not only have been at once hooted down, but also at the first opportunity relegated back by his constituents into obscurity? And yet is there any difference in the principle involved in these propositions? Would there be any principle involved whatever other than the mere arbitrary and despotic exercise of power — the making the possession of a red nose or red hair, or the result of enterprise, skill, economy,

talent, or the fortuitous circumstances of birth or happy accident, the occasion for inflicting a penalty? That was what substantially was done in the Middle Ages, when nobles were exempt from taxation because they were nobles, and the common people were taxed because they were villains or bondmen; when Jews were assessed because they were not Christians, and Catholics because they were not Protestants. It is generally supposed that the arrival of the nineteenth century put an end to such arbitrary proceedings; but history is said to repeat itself, and in this particular instance the field for its repetition would seem to be the United States. If it be said, as it doubtless will be, in rejoinder, that the rich, by reason of their riches, are abundantly able to pay, and therefore should be made to, my answer is that under a universal and uniform income tax (if there could be such a thing) they would pay more by an inevitable law, and yet pay equitably; but that under an unequal law, which takes from them because they are rich, the act of taking has no claim to be considered a tax, but is simply confiscation. And if the State may take five per cent. from the man with $5,000 income, and ten per cent. from the man with more than $5,000, why stop at these limits? We have not approximated the limit of the ability of the persons assessed to make contributions. Why not take more? Why not take all that such individuals receive in excess of the average income of the masses? Why not divide up and put every one on an equality? The individual proposing such a tax was, then, in theoretical intent, a communist of the most radical type; though if the truth could be known, it would probably be found that he had not thought of the matter long enough to determine whether his action was or was not underlaid by any principle.

During a debate in the House during the present session also, a remark was made by a gentleman for whom I have a high respect, and because I have that respect will mention his name, General Hawley, of Connecticut, to the effect that he rejoiced in the removal of the duties on tea and coffee because these were taxes which especially fell upon the poorer classes of society. But, according to my way of looking at the subject, General Hawley would have spoken more correctly had he said, "I rejoice in the removal, under existing circumstances, of the duties on tea and coffee because I am *not* a friend to the poor man, and desire to see him taxed more heavily." For General Hawley will find it very difficult to name any taxes (and in using the term I mean equal and uniform assessments and not arbitrary takings) which can possibly be laid, which yield so much revenue to the State, and which burden the poor so little. He could not name the taxes on spirit and tobacco, for all investigation shows that the bulk of the revenue derived from

such taxes is derived from the poor and not from the rich. It could not be the taxes on iron and wool, leather and lumber, for to tax primarily these necessities of common life is to give occasion for the creation of a multiplicity of other taxes by reason of interest and profits, which will be proportional in number to the number of agencies and processes through which each article passes on its way from a raw material to an elaborated product for consumption; and taxes on such materials, in addition, carry with them and entail the heaviest of all taxes, namely, an enhancement of the cost of the instrumentalities or machinery of production, which forever duplicates and repeats itself. In illustration of this last point, let any one examine the tables of prices for clothing in London which occasionally appear as advertisements in the New York papers, and he will see that the cost of woolens in the United States is nearly or quite double the cost of similar goods in England; and yet no man can show that the English manufacturer, in the item of labor, has over six per cent. advantage over his American competitor in respect to the total cost of such fabrications.[1] And that the existing taxes on such a luxury as silk do not fall lighter on the poor man than did the repealed taxes on tea and coffee, will also be apparent if we reason a little. Thus the revenue derived from these articles in 1870, when the duty was five cents per pound on the one and twenty-five cents on the other, was in round numbers, $20,000,000, or at the rate of about fifty cents per head. Now the cost of a silk hat is increased by at least this amount, by reason of the taxes on its constituents to every man who annually purchases and wears one; as is the average stock of ribbons which most women annually purchase for their adornment. And if either man or woman add to their consumption of silk, the one in the way of a handkerchief for the neck, and the other by the purchase of a veil and a dress, the tax will be much greater; and to judge whether the poorer classes consume these articles, let an observation be made of the next procession in honor of St. Patrick, or the next gathering in commemoration of emancipation, and silk in some form will be found to be an adjunct of the dresses of most of the participants. Looking, then, at this whole matter of the relations of sovereignty to property, either philosophically and in the abstract, or practically by the light of present experience, it seems difficult to understand how men who, in the ordinary pursuits of life rarely fail to judge correctly, and are quick to recognize and resist any act that infringes on personal liberty, nevertheless embrace and advocate propositions in regard to taxation which, applied as rules for the management of any other business or department of civil polity, would be denounced by them as absurd, wasteful, despotic, and subversive of morality.

[1] "The late Edward Harris, of Rhode Island, whose thorough practical acquaintance with the woolen manufacture will not be questioned, long ago asserted, as the result of

The only explanation which I can offer of this social phenomenon is, that the economists, financiers, and statesmen who have carefully studied this subject — and the number is comparatively small — have thus far failed to formulate, or simply and collectively state in connection with evidence, the truths in respect to which they are collectively agreed; and that in the absence of a general recognition of anything like fundamental principles, practice in taxation, at least in this country, has been almost wholly dependent on what is regarded as expediency; while accident and ignorance have had more to do in determining what is expedient than experience and intelligence. The result as a practical matter, therefore, is, that in the United States there is now taken directly under the name of taxes, from the capital or earnings of the people by the National or State sovereignties, or their representa-

his experience, that the cost of labor in this industry was not in excess of twenty per cent. of the value of the products which it created. The census of 1870 more than confirmed the conclusions of Mr. Harris, by showing that the proportion which the cost of labor in the woolen industry sustained for that year to the aggregate value of the annual product of woolens was a little in excess of seventeen per cent., the exact figures being $155,405,058 value of the annual woolen product; and $26,877,575 cost of the labor entering therein.

"Now, in 1867, a careful personal examination and comparison of the woolen mills of the United States and Great Britain showed that the average difference in wages in this department of industry between the two countries (equal efficiency being conceded to the English operative) was about twenty-five per cent. in favor of the United States; but since then wages have so far advanced in Great Britain that the existing difference is probably not in excess of twenty per cent. But for the sake of argument, and to cover all contingencies, I will assume that the American laborer in the woolen mills of the United States receives, on an average, thirty per cent. more in wages than his English competitor. This, then, on the basis of the census returns, would give the English woolen manufacturer an advantage of about five per cent. (5.1) in the cost of his fabric, or six per cent. on the basis of the estimates of Mr. Harris, the calculation being thirty per cent. of seventeen per cent. in one instance, and thirty per cent. of twenty per cent. in the other. A tariff of ten per cent. on the import of cloths would, therefore, be more than sufficient to supplement any advantage which the English woolen manufacturers may have on the score of wages, through the employment of his so-called 'pauper labor,' over the American. But notwithstanding this, the actual tariff on the import of these products ranges from sixty to one hundred and fifty per cent., the heaviest duty being imposed on the cheapest fabrics, worn by the poor, and the lightest on the most costly, purchased by the rich; and the present condition of the woolen manufacture in the United States conclusively proves that even these excessive rates are anything but protective.

"The explanation of this singular phenomenon is, that the doctrine of protection has been 'run into the ground,' and in attempting to protect everything, we have so raised the prices of every constituent of manufacturing industry that, except in the case of a few articles — like worsteds and carpets, in respect to which the tariff is a juggle and a fraud — we protect nothing, that we have deprived the American woolen manufacturer of the immeasurable advantage enjoyed by the manufacturer of all other countries, namely, that of a free choice of raw material, without which he can no more make good and cheap cloth than the Israelites could make good bricks without straw; and finally, that by the conjoined agency of the tariff and a base currency, we have made the United States the poorest of all lands to buy in, but the very best to sell to." — *Wool and the Tariff, an Argument against Interference*, by David A. Wells, 1873.

tives, in round numbers between six and seven hundred million dollars per annum for various public purposes, or from one twelfth to one fifteenth of the value of the entire annual product of the country — a fact, in the first instance, which finds no parallel, in respect to magnitude, in the experience of any other state or nation, and which in itself may go far towards affording an explanation of some fiscal phenomena which seem wanting in solution; and further, that this vast sum is taken by methods which do not rise to the dignity of a system; which in the case of the National Government are rarely the same one year with another, and in large proportion do not have revenue or the necessities of the State as their primary object; which in the case of the State Governments are not identical in any two States, and are widely different often as respects contiguous States. To which it may be also added, that important provisions of the law, allowed to stand upon the statute-book in almost every State, are practically a dead letter, simply because the end sought to be attained is impossible by the employment of any machinery that can be made available for their enforcement. In short, if there is a department of social science labor in which laborers are more needed, and in which greater economic and moral results are attainable, than the department of study and inquiry as to the best methods by which private property may be taken by the State for public uses, I have been unable to discern it.

Whether there are principles sufficiently fundamental to entitle them to general acceptance, and thus serve as a basis for a system of taxation adapted to every community, is a matter upon which political economists even are not agreed. Thus M. Say, the celebrated French economist, whose dicta have been adopted by some writers of repute in England, despairing apparently of finding any general available basis, lays down the maxim that the best system of finance is to spend little, and the best taxation that which is least in amount, while the real truth, on the contrary, is, that there is no act which can be performed by a community which brings in so large a return to the credit of civilization and general happiness as the judicious expenditure for public purposes of a percentage of the general wealth, raised by an equitable system of taxation.[1]

To confess, however, that the case is hopeless, is to confess that human knowledge, in at least one department, has reached its highest

[1] The fruits of such expenditure are general education and general health; improved roads, diminished expenses of transportation, and increased security for life and property. And it will be found to be a general rule, that no high degree of civilization can be maintained in a community, and indeed that no highly civilized community can exist, without comparatively large taxation; the converse of this proposition, however, at the same time not being admitted, that the existence of high taxes are necessarily a sign of high civilization.

limit; and that a class of transactions which, more than almost any other, are determinative of the distribution of wealth and the forms in which industry shall be exerted, are best directed by accident or caprice. To enter upon a discussion of this question, with a view of proving a negative within the limits of a paper proper to be presented on this occasion, is, however, impossible; and therefore I will content myself with briefly referring to a few points which, it seems to me, may be regarded in the light of economic axioms and from which sound deductions are possible.

And, *first*, it would seem evident a government cannot attain its highest development unless its machinery or methods of taxation are regular and permanent. Indeed, I incline to the opinion that an indifferent or faulty system of taxation that is permanent works less evil to the State than a good system that is perpetually changing. The curse of the tariff legislation of the United States has been rather its instability than its theory; but it should be remembered that in order that there may be stability there must be simplicity and also equity.

Second. Any system by which the sovereignty discriminates in assessments in respect to the same articles or classes of property owned by different individuals, whether the same be done intentionally, as in the case of wholly despotic sovereignties, or by a code of laws which human nature, self-interest, and the conditions of business make impossible of honest and equitable execution, has no claim to be termed taxation, but is simply arbitary taking or confiscation.

Thus the laws of the State of New York ordain that all debts due from solvent debtors and represented by mortgages shall be taxed at their full value *to the resident owners*, and not otherwise. A report for the year 1873 states, however, that not more than five per cent. of the value of such mortgages in the State is assessed. The circumstance, furthermore, that this tax is only an odious discrimination against resident owners of mortgages, shows that it is really a penalty upon residence, and is in no way different from a discriminating tax against colored, Jewish, or Catholic mortgagees. If the discrimination had been made in respect to color or religion, who can doubt that the subject would long ago have received attention at the hands of the political champions of freedom? As it is, however, the oldest inhabitant is without a defender. Again, the laws of all the New England States require that all State, city, municipal, and railroad bonds be taxed at their full valuation; but the prices at which these securities are daily bought and sold over all these States conclusively proves that they are not taxed. In the days of old Rome it was said that two augurs or diviners could not meet professionally without laughing. How can

two State assessors meet professionally without admitting that their administration, as regards equity, is an imposture?

Third. Taxation diffuses itself, and by laws which it is beyond the power of man to contravene, though he may make the diffusion for a time unequal in the same proportion as the tax is unequal or wanting in uniformity on the articles subject to the tax. There has been much written on this subject; but a single illustration which came to me in my experience as Commissioner for revising the tax laws of New York is in itself worth volumes of argument.

There are in round numbers in the city of New York a million of people. The laws of the State subject all their property, with small exceptions, to taxation; and yet out of this vast population, only about four per cent. are subjected to primary taxation, while in Boston, where the laws are executed in a more arbitrary manner, the ratio aside from the poll-tax is about eight per cent. Now, if the taxes do not diffuse themselves, and with a great degree of equality, what interest can the non-taxpayer have in New York in resisting corruption? What in an honest administration of the city and a reduction of taxes? Must he not, on the other hand, be benefited by exorbitant assessment on other property, and a distribution of the money collected, even if stolen by corruptionists, but spent with a lavish hand in giving him employment? But as John Adams once remarked, that if the Creator has given man a reason that is fallible, he has also impressed upon him an instinct that is sure, and that instinct teaches the masses of New York, however unlearned they may be in economic science, that taxes inevitably fall upon them through the increased price of all that they consume, even if they pay nothing directly; that if they are assessed primarily upon Mr. Astor he adds them to his rents; if upon Mr. Stewart, to his goods; upon Mr. Vanderbilt, to the price of his capital, whether sold upon the street or invested in railroads; and so being reflected, as it were, to infinity, or from reflection to reflection, they become eventually an integral part of the prices of all things. Taxation, furthermore, under a non-diffusive theory, becomes in reality a contest between classes; one class of real estate against another, — one class of personal property against other classes, — the classes possessed of no property against those that do possess it. The doctrine of the old philosopher Hobbes "that war or conflict is the natural state of mankind" becomes by this supposition embodied in taxation; and the Greek brigand must be regarded as the type of the modern assessor.

And accepting this principle of the diffusion of taxes, we must be led to another conclusion, and that is, that all taxation ultimately falls on consumption; so that each man's share of the burden of the State

will not be in the proportion to what he directly pays, but in the ratio of what he consumes. Hence, the greatest purchasers, the greatest consumers, or the greatest gormandizers if you will, are the greatest taxpayers; and while by an inevitable law no man, unless he lives wholly by charity or theft, can escape the incidence of taxation, the burden falls heaviest upon the rich, because, as a general rule, they are the greatest consumers.

NOTE. — [The author is fully aware that the principles of the diffusion of taxes, as thus laid down in this paper, are not held to be fully in accord with the tendency of modern economical thought, and that not a few economists whose opinions are entitled to respect, hold rather with Professor Thorold Rogers, "that taxes tend to remain upon the person who immediately pays them; or in other words, that it requires an effort, which is made with varying degrees of ease or difficulty, to shift a tax which is paid by the first payer to the shoulders of another."[1] A little reflection would, however, seem to make it evident, that unless Mr. Rogers and those who agree with him, have in mind a system of taxation which is highly arbitrary and irregular, devoid of justice, certainty, and uniformity (and about which nothing definite can be predicated), there can be no more tendency for taxes to remain upon the persons who immediately pay them, than there is for *rents*, insurance, interest, and the cost of fuel and water-supply to follow the same law. Taxes legitimately levied, are a part of the cost of production, and the question whether taxes diffuse themselves, finds its solution in the propounding of this further question: "Is the cost of production diffused on the articles produced?" Adam Smith, and his French contemporary economist, Quesnay, may be considered to have established the principle that taxes diffuse themselves with a degree of infallibility, when they are levied uniformly on the same article; and hence the deduction of Adam Smith, *that the average profits of one investment are always equal to the average of other investments, risk and skill in management, in each, being taken into consideration.* This is the principle which pervades his great work, "The Wealth of Nations;" and he even goes so far as to admit, that a tax upon labor, if it could be uniformly levied and collected, would be diffused and that the laborer would be the mere conduit through which the tax could pass to the public treasury. Thus he says, "While the demand for labor and the price of provisions, therefore, remains the same, a direct tax upon wages can have no other effect than to raise them somewhat higher than the tax;" and pursuing the subject further, he continues, "*no tax can ever reduce, for any considerable time, the rate of profit in*

[1] *Cobden and Public Opinion*, pp. 83, 84.

any particular trade, which must always keep its level with other trades in the neighborhood." And it might also have been added with equal truth, that a tax exclusively assessed upon labor becomes an almost direct tax upon capital, or the converse; for the average price of labor is a measure of the average profits upon capital; for capital is only accumulated labor. To attempt, however, to discuss incidentally a subject of such importance and magnitude, and a proper understanding of which is necessary to any correct determination of the principles of taxation, is equivalent to discussing it imperfectly and superficially; and therefore the author will only further present in this connection, the general results of his investigations, which may be formulated somewhat as follows: —

All taxation ultimately and necessarily falls on consumption; and the burden of every man, which no effort will enable him directly to avoid, will be in the exact proportion, or ratio, which his aggregate consumption maintains to the aggregate consumption of the taxing district, state, or community of which he is a member.]

It would, however, be a mistake to infer, that because all taxation diffuses itself and ultimately falls on consumption, it is a matter of indifference what methods of assessment are adopted. If all methods resulted in perfect equality of assessment and economy in collection, and were equally free from personal annoyance, then it would indeed be a matter of indifference. But the trouble is, that all methods are not equally perfect, and the methods, as a general rule, which have been adopted in this country, and which commend themselves to popular approval, because they appear and claim to effect equality, are the most imperfect in this particular.

Thus take, for example, the so-called system adopted in Massachusetts, that all property, subject to a few exceptions, real within the State, and personal if belonging to its citizens wherever it may be, shall be subject to assessment. Now, no law of this character can ever be executed. The advance in civilization, the changes in the methods of doing business, the basing of vast transactions upon credit rather than upon actual ownership of capital, the offsetting of debts against debts, and the facilities of intercommunication have, within the last half century, changed in a very great degree the character of the property of all highly enterprising nations.

Much, and by far the largest portion of the personal property of the country is, moreover, invisible, incorporeal, and intangible, and to determine its value, and to assess it, would require that the persons charged with such duties should be able to see things which by all ordinary vision cannot be seen, and to know what, except by supernatural

agencies, cannot be known. It needs no argument, therefore, to establish the truth of the averment that a law providing for the assessment of all property is an absurdity, even in the absence of all experience.

Take also the income tax, which is advocated by many economists of repute. Theoretically what can be fairer than that each person should pay in proportion to his annual net gain or income. But practically an equitable assessment, based on the known incomes of each man, is an ideal that never can be realized. When we come to enacting laws for the collection of revenue, we must take human nature as we find it; and laws which are directly antagonistic to the two most powerful influences that can control human action — love of gain and the desire to avoid publicity in regard to one's private affairs — can never be efficiently administered. Under this head take one illustration: In 1868, with a Federal law assessing all incomes over $1,000, and with a trained corps of officials, only about 250,000 persons in the United States, out a population of 40,000,000, had any taxable income. Again, unless an income tax is an exclusive tax, or if it forms (as is proposed in this country) an element of a general system of taxation, it must necessarily involve double taxation — first on the property yielding the income, and second on the income itself. If the property yielding the income were under the jurisdiction and control of one State, and the person receiving the income was a resident of some other State, the duplication could hardly be avoided, as it is not avoided in Massachusetts and all other States which tax both property and income. It would seem evident also that the taxation of income from property outside the territory and jurisdiction of the taxing power is mere arbitrary procedure, and has not even the pretext of affording protection.

Let us also, in conclusion, briefly glance at another but no less important phase of this subject; namely, *the moral influence on society of unequal tax laws.* Thus, to take a portion of the property of one man for the benefit of the State because he is honest or ignorant, or unable to conceal its possession, and to allow the property of another man to escape because he is dishonest, cunning, and willing to forswear himself, is in effect to impose a penalty for honesty or ignorance, and to encourage dishonesty and duplicity. Again, if a manufacturer in a specific instance avoids the payment of an excise tax on the raw material of his manufacture, or an importer the duties on the goods he imports, it is clear that they thereby acquire an advantage over their competitors in the way of profit if they sell their wares at average prices, or have it in their power to damage or ruin their competitors if they sell at less. We can all see the injustice in such instances; but in the case of a law which first creates an opportunity for all the dishonest and unscrupulous to obtain advantage by fraud over their

neighbors, and then when the opportunity is availed of, forces the honest and scrupulous to decide whether they shall suffer, or, in self-defense act in a like manner, we fail to see that no more effective machinery for demoralizing a whole people could possibly be invented. "I insist upon it," said a prominent member of the Constitutional Convention of New York in 1867, "I insist upon it that a people cannot prosper whose officers tell lies, and there is not an assessment roll in this State that does not both work and tell lies." I cordially repeat and indorse this declaration.

The subject admits of elaboration and illustration to almost any extent; but the general conclusion to which all investigation seems to lead is, that the rational principle of taxation is to tax but comparatively few articles; namely, visible, tangible property and fixed signs of property — for in this way only can taxes be assessed equitably, uniformly, and economically — and then leave them to diffuse, adjust, and apportion themselves by the inflexible laws of trade and political economy.

DISCUSSION ON TAXATION.

The Chairman, Mr. Charles Moran, said the whole history of the world showed that the tendency of republican governments in the course of time was to become despotic. The power of a republican government should be limited, and we, living under a republic, should always keep this matter in view. When a majority passed any measure, no personal responsibility was to be attached to any man, the responsibility in that case being spread out among the masses. In reference to what Mr. Wells had said about taxation, it was the Chairman's opinion that the best financial system which any government could pursue would be to reduce the expenditures of the nation to the lowest possible cent, and thereby to raise the smallest amount of taxation on the people. For his part he did not believe that seventy-five per cent. of the expenditures of any government ever created was anything other than a perfect waste. If a tax were imposed to the extent of doing a public injury, then it were better it had not been imposed at all. When you take away from the man who had the industry to produce, the self-control of his labor, and transfer it to politicians, you do that man a great wrong. Rather than that money should be squandered by a government, it were better to have it in the hands of the people, who would distribute it more economically among the community. These questions of financial relations between the people and the government should be carefully examined, with the view to the discovery of the sources of the evil under which we suffer. We have had several schemes of government tried, and still we had no diminution, no reduction in our taxation. There was every day a further interference in the rights of the individual by parties holding political power.

The same rule applied to those in Congress, as well as to those in the State Legislatures and municipalities. He thought it was time for the American people to protest against this. Unless some steps were taken in this direction we would have terrible times in endeavoring to correct an evil which was a reproach to republican institutions. We have never had a republic but the government became more despotic than the most despotic of despotisms by reason of the unbearable domination of a majority. A despot or two can be supported without the crushing out of the minority. Precisely to the extent in which a republic exercises its power is it the worst form of government in existence. When a majority oppresses, no one man is responsible, and a majority is the most domineering and brutal of created powers. And again I must most heartily indorse Say's theory that the best financial theory for any government is to reduce expenditure to the least possible cent.

Mr. J. V. L. Pruyn, of Albany, said: —

It is true that Government may contribute wisely and judiciously to public enterprises, and while I agree with Mr. Say, I think his opinion is fairly open to the modification Mr. Wells has mentioned. In New York, as a rule, the capital of all corporations is assessed at par. Assessed corporations meet us on every hand, and if you remember how much of the property of the State is invested in corporations, you will conclude that the personal property of the State is assessed on an absolute valuation quite as much at least as the real property. I admit, however, that we may do and ought to do much to correct inequalities; but I think the animadversions from time to time — I do not mean to-night — indulged in in regard to the assessors of the State are, as to many of them, unfair.

Mr. Pruyn remarked further that he thought the best way to support the Government — insuring enconomy and simplicity — is to establish a poll-tax by which each member of the community is called upon to defray his portion of the expenses of that community in one single payment, or a payment in installments. That would direct the attention of every man to what the Government was doing and what its expenditures were. Such a result was hardly to be hoped for in this generation, and therefore the proposition of Mr. Wells, that taxation should be confined to the smallest number of articles, was one essentially sound, and in which he entirely concurred. It will be very difficult indeed, he concluded, to fix upon any scheme which will work out a very much better result than the present, comparing personal property with real property, unless it be some arbitrary scheme such as that proposed by Mr. Wells in his report to the Legislature of New York. In one case I recollect he assumed that a person paying $2,000 a year rent should be considered as worth $10,000 of personal property. But this rule would work out an unfair result in many cases.

AMERICAN RAILROADS.

A Paper Read by Gardiner G. Hubbard, Esq., of Cambridge, Mass. May 20, 1874.

The railroad is the expression of the vital force of the 19th century. For thousands of years the world had been plodding over beaten ways, climbing mountains, toiling through valleys, fording streams, when suddenly the thought and study and knowledge of many generations burst into life, and Mr. Stephenson's little "Rocket" astonished mankind. The locomotive threw open vast regions of country until then inaccessible, and gave such an impulse to civilization, commerce, and education as had never before been known. Our own West long and patiently waited for its coming to bring life to her desolate places, to cultivate her fertile prairies and send forth her produce to feed the millions.

Scarcely a generation has passed since the first railroad was built, between Liverpool and Manchester. It was nearly completed before it was decided by what motive power the cars should be propelled. A prize was offered for the best engine which could move a given weight ten miles an hour, and of several that were constructed, that of Mr. Stephenson was the only one that could accomplish the task. In our country travel was then by stage coach, and the mail was generally carried on horseback. Now, not only is nearly all travel by rail, and not only is three fourths of the mail carried and distributed by railroad, but the supplies of our daily and multiplied wants, our very food and clothing, our books and papers, are brought to us over these iron roads. Every man, woman and child pays a direct tax to them. Before the construction of railroads, settlements, schools, churches, court houses, markets and post-offices succeeded each other; now the railroad opens new territories, telegraph and post-offices are the first buildings, and population follows. The rapid development of our country is due almost entirely to our railroads. When the farmer depended upon water communication to carry his produce to market, only the land which bordered on the streams and canals was of value. The inducements to emigration were few, and our richest lands uncultivated. Our railroads have opened vast tracts of fertile prairie land, and have developed the mineral wealth and rich resources of our country, attracting to us the enterprising and industrious of all nations.

Our fathers feared that our country would be broken in pieces through the vast extent of its territory and the diverse interests of its different sections. But 75,000 miles of railway tracks bind together these different sections by ties stronger than iron, bringing them into constant social and business relations, and making the very diversity of interests the bond of a closer union. California, formerly separated from us by over a month of time, is brought within a week of the most distant part of our country, or nearer than New York and Chicago were thirty years ago. Teas from China and Japan cross the Rocky Mountains to the valley of the Mississippi, while fruits from California are daily delivered in the markets of the East. Year by year the mileage of the railroads increases in an almost geometrical ratio; new roads are constructed and the country becomes more and more dependent upon them.

But, while our railroads, built by private enterprise, and with private capital, and controlled by private corporations, have thus developed our country much more rapidly and efficiently than could have been done by Government, they have gradually, by extensions, consolidations, and combination, acquired such enormous power that they who should be the servants of the people are becoming the masters.

England is the only other country which has relied solely on private enterprise for the construction of its railways. The system being the same, similar results have followed. As the railway system was more rapidly extended there, it more quickly developed the evils incident to it. When it become evident that it was the policy of the companies to amalgamate rival and connecting lines, and to partition the whole of England into a few districts, each controlled by a single corporation, and thus to monopolize the entire business of the country, the attention of the people and of Parliament was aroused and measures were at once taken to prevent it. Time will show how far these efforts of the people are successful. Nearly three thousand laws have been enacted by the Parliament of Great Britain relating to railroads, many of them seeking to control these corporations and regulate their charges, but thus far with little success.

Before the introduction of railroads, competition was a sure and never-failing check upon exorbitant rates and insufficient facilities. It was within the means of a few individuals in almost every place, to establish an opposition line of stage coaches and the benefits from the reduction of rates and increased accommodation, shared by them equally with the public, was generally an ample compensation for the risk incurred.[1]

[1] In 1800 the Post-Office Department established a mail stage between Philadelphia and Baltimore the entire outlay for which was $10,567.37, and the estimate of the Postmaster-General for a line from Portland, Me., to Louisville, Ky., 1,424 miles, was $101,357.

But in the construction of an opposition line of railroads, so large an amount of capital is imperative, so great is the risk of losing the whole investment, and so many are the private interests involved, that competition is almost impossible. Even if the line is built, the fear of loss through competition, and the temptation to monopolize the *whole* business at high rates, by combination with the rival line, soon becomes irresistible and the result to the public is increased charges to cover the expense of two roads and pay the interest on a doubled capital. Committees of the Parliament of Great Britain, and of the Congress of the United States, have considered this subject, and both agree that the public cannot look alone to competition between railroads to secure the public welfare against the undue prominence of private interest.

In Great Britain and many of our own States, laws against the combination and amalgamation of railroads have been passed, but have invariably proved a dead letter. The power and persistency of self interest has been greater than the intermittent exertions of the public for the general welfare. Our form of government presents greater difficulties in dealing with this subject than that of Great Britain, but on the other hand, the physical features of our country give us peculiar advantages. In the United States every railroad is incorporated by the laws of a State, and a State cannot authorize the construction or control the management of a line beyond its limits. It is only by combination with roads in other States, or by direct authority from the Legislatures, that the through lines are organized which traverse the length and breadth of the country. In the transaction of business between places in the same State, these through lines are local roads, subject to the laws of the State; as carriers of merchandise between two or more States, they are national roads, and Congress alone can regulate commerce among the several States.

Each State government is independent of every other, and to the extent of its power is a complete sovereignty. Congress is also independent and supreme in its sphere and is a perfect sovereignty. Two separate and independent governments are thus established, and between these the power delegated to them by the people is divided.

The State governments had absolute power in all cases not delegated to the United States, nor prohibited by the constitution; but they have been shorn of a part of their control over these corporations by the decision of the Supreme Court in the Dartmouth College case, — that in granting a charter to a private corporation, a State makes a contract, by which it surrenders its sovereignty over such corporation and can exercise only such control over it as is reserved in the charter. Again, every railroad by such contract acquires a property in its franchise as well as in the property it may obtain by force of it. The Fifth amend-

ment to the Constitution provides that the "property of no person shall be taken for public use without just compensation." Every reduction in rates made by the authority of a State, which reduces the net profit of the railroad, is a taking of private property for which compensation may be required. The amount of compensation to be paid does not rest upon the discretion of the State, but must be decided by a court and jury; and even if the charter should contain provisions for its alteration, repeal or amendment, still any action under such provision is subject to the Fifth amendment. Although a State may have the right to rescind a franchise, yet all the property of the corporation would remain to be administered for the benefit of the stockholders. This clause cannot give a State the right to compel a corporation to perform whatever service the State might exact. In Wisconsin the State has attempted to regulate railroad rates, without making provision for compensation to the road, it may find that it has no means of enforcing laws, the constitutionality of which is doubtful or denied. Even if the State had the right to stop the running of the roads, it would be practically impossible to do it, for the interests of the people would suffer so seriously that they would be the first to demand that the injunction might be removed and the roads allowed to run again at their old prices.

The child has grown up among us and become a giant, which neither laws nor public interest can bind. The very power which has built up our prosperity and upon which it depends, becomes a tyrant, when it uses our necessary dependence for its own aggrandizement.

Upon the question of the expense of getting its produce to market, depends the wealth of the West, and, in a great measure, the welfare of the East. The West raises annually a large surplus of grain, which increases year by year, as more land is brought under cultivation, and unless the cost of transportation can be greatly reduced, a portion of it must be wasted or consumed for fuel. The East uses the greater portion of this surplus, but there is still a large quantity left for exportation.

England imports several hundred millions of bushels of grain every year and the quantity is steadily increasing. Ten years ago the largest proportion came from the United States; but the Russian government extended its railroads to connect its wheat-growing regions with the ports of the Black Sea, and granted to German companies the right to extend their roads into Russia, thus connecting its Northern Provinces with the Baltic. The opening of these new communications has greatly reduced the expense of transportation; the Russian exports have greatly increased and ours decreased.

The cost of raising wheat on the rich lands of the Mississippi valley

is much less than on the borders of the Black Sea. The land produces more to the acre, is more easily tilled, is of less value, and though labor is higher, yet agricultural implements are used to so great an extent as to counterbalance the cheaper labor of the East. But these advantages, which ought to secure us the control of the market of Great Britain, are lost by the greater distance from the market and the cost of transportation.

The price of wheat is regulated by the supply, and as two thirds of that of England comes from Russia and Germany, these countries fix the price in London. The price in New York is controlled by Mark Lane, and in every Western city and town by the New York market; thus we find the value of the whole product of the West controlled by the supply from the Black and Baltic Seas. Just so long as this continues, the serf in Russia will fix the price of grain in the valley of the Mississippi, and upon this price depends the value of the land and the growth of the Western States in wealth and population. But while the West is suffering from the high rates of freight, it furnishes the greater portion of the business of the railroads. Contractors, managers, and stockholders have made large fortunes, either in the construction of these roads, or in fictitious dividends of stock and bonds, or in speculating in the stock, only rarely in the dividends. The nominal cost of these roads greatly exceeds the actual investment, requiring higher charges to pay dividends than would otherwise be necessary. The people of the West believe that their interests are sacrificed to private gain, and naturally complain of extortion and oppression. To give expression to their views and work out a remedy, they have organized in opposition to these corporations, and have formed Granges in every State and county, and in almost every town in the West. The influence of these associations is already felt in politics. They have shaped the recent legislation in Illinois, Iowa, Wisconsin, and Minnesota, and they may, at no distant day, control the politics and legislation of the country.

While the feeling which has led to the formation of these Granges is not unnatural, and has been mainly due to the action of the railroads, it does not follow that the freight charges have been exorbitant. Many of the Western roads do not even pay the interest on their bonds, and in some States they have never paid any dividends. Rates, therefore, on these roads, cannot be reduced. In 1872, the actual expenses were about eight mills a ton a mile, and the charge only eleven mills a ton a mile, on through freight from Chicago to New York (and are considerably less at the present time), leaving about twenty-seven per cent. for net profit. This is not a sufficient percentage of profit to pay the interest on the actual cost of a railroad. The charges on

local freight are much higher per mile, than on through freights, and if rates were made uniform, as has been proposed in several States, the through freight would be increased.

The average freight charges for wheat, from the Mississippi valley to New York, in the summer of 1872, were 50¼ cents per bushel (all rail), and 43 1/16 cents by rail and water. These charges must be reduced one half before we can export grain enough to control the market of Great Britain. This great reduction is impossible under the present railroad system; as these railroads are unable to make the necessary reductions and realize at the same time a reasonable profit, we can hardly expect them to sacrifice their own interests for the public good. But the question remains, How can we get our grain to market?

It is twenty years since the present trunk lines were finished. They were built for local roads, and as local roads are now built, — choosing circuitous routes for the purpose of avoiding grades and reaching business centres, climbing mountains instead of tunneling them, and seeking to save cost in construction rather than in operation. These roads were built in short sections from town to town, by as many different corporations, without any expectation that they would become parts of a great national line. They were subsequently consolidated until they have become among the wealthiest and most powerful corporations ever organized. Their business is divided into two distinct classes, passengers and freight. Six different kinds of trains, each interfering with and increasing the expense of the other, run over them, — to wit: Express, Accommodation, and Local Passenger, Fast, Through, and Local freight trains. Only forty-one trains a day are run on the Pennsylvania Central, forty-four on the New York Central, and thirty-five on the Erie, in each direction.

The difficulty and expense of running even this small number of mixed trains, is so great, that the New York Central have found it necessary to construct two additional tracks by the side of the present ones for freight trains alone. The average tonnage to a train is one hundred and thirty tons; but on a route with grades not exceeding thirty feet to a mile, used for freight alone, two hundred trains per day could be run each way, each carrying with a single engine three hundred tons and running at a uniform speed of ten or twelve miles an hour.

The present trunk roads, though adding constantly to their equipment and to their facilities, are hardly able to keep pace with the increase of business, the normal growth of which is sufficient in every three years to supply to a new road a business equal to that of either of the trunk lines. Nearly eight tenths of all the business on the great

trunk roads is local; the through business, therefore, being of comparatively small importance and the rates much lower, is of less value to the roads. These lines stretch out from New York five or six hundred miles west, then branch north, west, and south, forming a secondary system of roads, and from these, local roads run to every little settlement in the West.

The trunk roads are from one hundred and fifty to two hundred miles, or from twenty to twenty-five per cent. longer than an air-line route between the East and West. A new line could be constructed with reduced and uniform grades not exceeding thirty feet to a mile, over one hundred miles shorter than the existing lines, upon which the operating expenses would be proportionately reduced.

It appears from these facts that a freight railroad can be constructed which could greatly reduce the expense of moving produce; but if one should be built by the present companies, or by new corporations chartered or managed as all our roads have been, combinations will be formed by which the gain from these reductions will inure principally to the corporation, with little benefit to the public. Many plans have been proposed in the different States for regulating railroad corporations, with particular reference to the interests of each State, but without any satisfactory results.

The subject has also been very fully considered by Committees of the Senate and the House of the present Congress. Reports of both Committees, though they differ as to the means to be used, agree as to the inefficiency of the present railroad system, and the necessity of adopting some measure which will bring speedy relief. The Senate Committee believe, —

"That the problem of cheap transportation must be solved through competition, rather than by direct Congressional regulation of existing lines; that competition, to secure and maintain cheap transportation, must embrace two essential conditions, — First. It must be controlled by a power with which combination will be impossible. Second. It must operate through cheaper and more ample channels of commerce than are now provided."

"Railway competition when regulated by its own laws, is always unreliable and inefficient, and invariably ends in combination. Hence, additional railway lines, under the control of private corporations, will not afford substantial relief, because self-interest will inevitably lead into combination with existing lines."

"The only means of securing and maintaining reliable and effective competition between railways is through national or State ownership, or control of one or more lines, which being unable to enter into combinations will serve as regulators of other lines."

The physical features of our country present peculiar advantages for competition by water ways during a portion of the year. The best

cotton, corn, and wheat lands in the world lie in the valley of the Mississippi, which is from three to five hundred miles wide, and nearly three thousand miles long. A moderate expenditure will open the Mississippi River from the Canada line to the Gulf, the Lakes, and river St. Lawrence. A short canal can connect the Mississippi with the Lakes, which would open either of these routes to the whole commerce of the valley for three quarters of the year.

The Senate Committee believe there are four feasible and advantageous channels of commerce to be improved and created by the National Government, — the Mississippi; the Northern line by the Lakes; the Central line by the Ohio, and through Virginia to Richmond; and the southeastern route by the Tennessee, through Alabama and Georgia to the ocean.

The first will open the Mississippi River; the northern line will, if the Reciprocity Treaty is ratified, open a navigable way for vessels of one thousand tons burden through the Lakes, St. Lawrence, the Welland, Erie, Caughnawaga, and Champlain Canals and Hudson River to New York. The other lines will open the Ohio and Tennessee rivers to their head waters, and new ways thence by canals, or freight railways, to the ocean at Richmond and Savannah.

There is no doubt that freight can be moved cheaper on water ways navigable at all seasons of the year, in the channels which commerce naturally takes, than in any other manner; but there are no such ways in this country.

The Tennessee and Ohio rivers run west, while cotton and grain find a market at the north and east, and if these products are carried to the head waters of the Ohio, there still remains a transshipment and land carriage of about four hundred miles. Both the Mississippi and Northern routes are closed by ice during the winter months. Such intermittent channels do not give what is required, a way by which grain can be sent to the best market every day in the year.

The cost of the improvement of the Ohio and Tennessee rivers, and the construction of canals or freight railways from their head waters to the ocean, at or near Richmond and Savannah, is estimated at $90,000,000 for canals, or $55,000,000 for railways. The Committee of the Senate estimate that the freight and charges from Cairo to to Richmond or Savannah, will be twenty and four tenths cents per bushel, and from the Mississippi River to New York, by the northern route, twenty-two cents per bushel, and from the valley of the Mississippi to New Orleans, twelve cents per bushel.

The House Committee agree with the Senate that large appropriations of money are necessary to secure permanent low rates of freight, but do not believe that canals are adequate to the present wants. They report that "the shipments by the New York Central and Erie

Canal are rapidly approaching equality, while the rates are being decreased on railway and increased on canal. Time and certainty enter largely into the calculation by which the shrewd American mind appears to prefer the railroad even at existing rates. For these reasons they believe we must in the future depend, as we undoubtedly do in the present, very largely upon the railway as a chief means of internal commerce."

Canals or railroads to Richmond and Savannah will run across the lines of travel for cotton, and are south of the route grain follows. These termini have neither the capital to handle the grain of the West, nor vessels to transport it to Europe. New York is the great centre of all our foreign commerce; nowhere else can the lowest freights to foreign ports be relied upon, or a ready market for all produce offered for sale. The chief business of railways is and always must be the local trade. On the routes via Richmond and Savannah, there is a small and nearly stationary population and a very limited way business, while the contrary is true, on the line to New York. Until these lines and their terminal points can compete with New York in all these respects, they cannot meet the requirements of the West. The House Committee therefore recommend the incorporation of a company to construct a double-track freight railway from the Mississippi river to New York, with branches to Chicago and St. Louis, and that governmental aid should be given by indorsing the bonds of the company for one half the actual cost of road, the maximum rates of freight to be fixed at very low rates and incorporated into the charter.

The Senate Committee use the following language in reference to this plan.

"One or more double-track freight railways, honestly and thoroughly constructed, owned and controlled by the Government, and operated at a low rate of speed, would doubtless be able to carry at much less cost than can be done under the present system of operating fast and slow trains on the same road, and being incapable of entering into combinations, would no doubt serve as a very valuable regulator of all existing roads within the range of their influence."

There is unanimity in the reports of the two committees in regard to the value and necessity of a freight railroad. It is difficult to understand why the Senate committee gave the preference to the Richmond route. The cost of the canal and slack water navigation by that route, they estimate at $55,000,000, or nearly the same with the freight railroad from the Mississippi River to New York. The freight charges on the railroad will be ten per cent. less than by the canal, with a saving in time of from two to three weeks. The railroad is never closed, while this canal will be frozen at least one month in the year, and much more exposed to interruptions for repairs than the railroad.

The benefits that will result from the opening of such a road to the whole country can scarcely be overestimated. The cost of transporting grain from the Mississippi to the ocean will be reduced one half, which will be equal to a saving of $42,000,000 on the product of 1872.

This reduction will enable us to compete with Russia for the supply of Great Britain and give a market for all our surplus. It will reduce the price of bread-stuffs to every consumer in the Eastern States, and in an equal ratio the freight on merchandise and manufactures from the East, and give to both East and West a large home market for their products. It will inaugurate a new system of railways that will continue the development of the West, so auspiciously commenced by the old roads. As our first railroads at their inauguration were liberally aided by the States or National Government, so the same help should be given to this new system which seems so essential to the interests of the country.

All the local and grain-collecting roads are directly benefited by every reduction on through freights, since it increases their business and develops the country. The local business on the trunk roads is increasing with great rapidity and will not be diminished by the construction of the the freight road. The through freight is only a small percentage of the whole, and is carried at a small profit. A freight railroad would divert only a portion of the through traffic from existing roads, and ultimately they must share with the country at large in the benefits of the new road.

The United States formerly aided many roads with grants of land or guaranty of bonds. Probably in every case great public benefits have followed. When these appropriations were no longer required to stimulate the construction of railroads, this policy was changed.

We admit the inexpediency of Government undertaking that which can be performed by private enterprise; but we believe that this is the only way in which the needed relief can be obtained. We have shown that the welfare of the country depends upon a market for our grain; that competition has failed, and must necessarily fail to give relief; that law is unable to reach or control the rates, and that the railroads as at present constructed and managed are insufficient, even at high rates; that new ways must be devised for moving the produce, and that only by Government aid can new routes, whether canal or freight railroads, be constructed and operated at rates that would insure relief.

We have shown that canals and water communications cannot meet our wants, and that only upon freight railways, with low rates inwrought into their charter, as part of the contract and made the condition of Governmental aid, can we rely for the further and full development of our country.

REFORMATION OF PRISONERS.

A Paper by Z. R. Brockway, Esq., of Detroit, Mich.
Read Friday, May 22, 1874, by H. B. Brown, Esq., of Detroit.

The reformation of prisoners is one of the recognized purposes of imprisonment throughout the civilized world. It is enjoined by the constitution in several of the United States; modern legislation aims at it, and the popular mind quickly responds to the idea. But no practically reformative prison system prevails; much doubt of the possibility of such a system exists, and the importance of reforming prisoners seems undervalued.

The census of the United States for 1870 gives the number of prisoners on the first of June as 32,901, exclusive of those in houses of refuge, houses of correction, and institutions of kindred character; so that the estimate of Dr. Wines, secretary of the National Prison Association, that the prison population is 40,000, is possibly too large. Dr. Bittinger says only 12 per cent. of the offenders get into prison, in which case the 40,000 prisoners are but one eighth of the public offenders, whose aggregate must thus reach 333,000, of whom about 300,000 are abroad in the communities. If, as this calculation seems to indicate, the aggregate of public offenders is contained between the numbers 300,000 and 400,000, then the problem of suppressing, or of measurably preventing crimes may not be an impossible one; and if the average period of the detention of prisoners under sentence in all classes of prisons does not exceed eight months each, then one eighth of all offenders are brought under treatment annually, so that the prison system itself must exert a powerful influence. It is a matter of great importance to society whether 40,000 prisoners, or any portion of them, are annually released with intensified vicious tendencies, or are so reformed as to exert a salutary moral influence among their associates.

There is manifestly an intimate relation between criminal laws and crimes, — perhaps as cause and effect. Not so much an immediate effect as in the general diffusion of a type of mind, favorable or unfavorable to crimes. Doubtless the laws and institutions comprehensively viewed indicate the tone of the people from which they emanate; but is there not a reciprocal effect also wrought upon the character of the people by their laws and institutions? The sanguinary horrors of ancient Roman criminal laws, the cruelty and injustice of feudal laws,

the excommunications, anathemas and degradations of the Canon law, the severity of more modern European criminal codes, and the retributive penalties of our own criminal law, have none of them ever efficiently prevented crimes, to say the least; and it is more than probable that they have contributed to crime; since the mitigation of severe penalties specially noticeable in England during the last hundred years, appears to have produced a quite uniform diminution of the crimes to which they were attached. It is believed that the laws and establishments of a true reformatory prison system, by its silent moral influence, in due time would perceptibly modify the criminal tendencies of the exposed class in society and thus operate to prevent crimes. The reformation of prisoners is important also because it is essential to the adequate protection of society. If imprisonment for crimes may with propriety be imposed, it is for the reason that the offender is dangerous, unsafe, because of some peculiarity of character or circumstance. It would seem therefore but the veriest trifling to release the prisoners from the necessary restraints until the danger is over. The prisoner must either be reformed or remain restrained; else society surrenders the justification for imprisoning at all, stultifying itself by its own act; and, since to imprison all criminals perpetually would entail burdens and wrongs greater than the crimes themselves, the reformation of prisoners becomes the *sine qua non* of protection as well as important for prevention.

The reformation of wrong character is not a well-defined idea in the popular mind, but reformed conduct is readily appreciated. The object of the reformation of prisoners is to secure reformed conduct, and all efforts by the State to reform character must be for this end. There is a popular impression that the criminal impulse is a product of some supernatural spirit of evil pervading the mind, of which the subject is clearly conscious, as well as of the presence of an opposite influence; that a conscious struggle for supremacy ensues between these opposite influences, finally determined by the will in the exercise of absolute freedom. This school believe in retributive, intimidating penalties. They hold that, whatever the moral condition of a man at any time, it is the result of his own volitions. If he is evil he is guilty, and should suffer pain in proportion to his guilt. Another view is that all wrong is irrational; hence a wrong act is evidence of a defective mind, and when crimes are wrought the indication is that the criminal possesses an aberrant intellect. It is further held that his impulses may be unrecognized or uncontrollable, that he may have a false view of his own interests or have no regard for those interests; that he may be possessed of ordinary intelligence and ambition, but having a paralyzed or undeveloped moral sense may be unable to rightly distinguish

moral qualities; that he may be intelligent, properly ambitious and conscientious and yet may commit crimes from imbecility of the will. This view recognizes the agency of hereditary predisposition and of unfavorable circumstances as causes of degeneracy, whether physical, mental, or moral; also the intimate relation between bodily health, mental states, and moral phenomena.

It is affirmed that the prevalence of the first view (all too briefly stated) underlies every prison system that exists, whether in the United States or in Europe, and that any modifications and progress made toward a truly reformative system depends upon the presence of the principles of the latter view and of the practices deduced therefrom.

The reformation of prisoners differ from the reformation of freemen, not in the subjective transformations wrought, but in the means operating to produce them: the citizen remaining under the play of the formative forces of society, while the prisoner's social circumstances are restricted by authority. Unless one has been prone to fall into crime he can scarcely appreciate the counteracting influence existing in society. The struggle for subsistence, while sometimes engendering a strife that culminates in crime, is nevertheless in the main conducive to correct conduct through the forbearance and friendship growing out of mutual dependency. The adage, "Honesty is the best policy," is but formulating the principle that every good sought by dishonesty or other form of selfishness is best promoted by the opposite course, viz., integrity and a just regard for the rights and welfare of others. Actual experience in society should soon show that there is no real advancement in the public esteem, except that based upon respectability, or, in other words, *rightness*. Such are the connections formed in the family and out of it, that there are others to be injured by our misconduct, so that the affections, and even the sentiment of pity, will restrain. This regard for others influencing the life until the benevolent affections broaden, an interest is awakened in society at large, whose wants and woes may win the thoughts to contemplation of the Author, the Governor, the Father of all. These natural, heathful sentiments and moulding influences the prisoner under present systems is mainly deprived of. His daily wants are supplied by the State, and no opportunity is afforded for the accumulation of gains. Thus the first natural incentive to effort is lost, being replaced with the hurtful and usually hateful human authority. Advancement in favor with fellow-prisoners is by bravado and trickery, while favor with the officers is by a sycophantic subserviency, whose practice deteriorates the mind, ultimately driving out that love of approbation which so powerfully influences the citizen. The prisoner is surrounded by no tender ties to be injured or sundered by misconduct; so the force of the affections for good is also

lost. Being excluded from free social intercourse, no interest is maintained in those about him, and his thoughts and aims (if any) become self-centred. The arrest, the trial, the retributive if not vindictive penalty imposed, and the sense of social alienation, tend to breed a spirit of bitterness and antagonism towards society and towards God. Certainly such a system cannot be of practical reformative value; but, on the contrary, unless some new agency is introduced, must actually repress reformations.

Premising that there are many prisoners whose criminality is the result of temporary unfortunate maladjustment of outward circumstances, and who have not yet the "criminal nature," and that reformed conduct for these may be secured by simply improving their situation in society, and that there may be others wholly incorrigible; it may be safely said that certain important subjective changes are necessary to the reformation of the others, who constitute the mass. The natural impulses must be pervaded with the moral sense, be regulated by reason or controlled by the will; in other words, the benevolent emotions must, by some means, be given preponderance over the malevolent affections, or the intellectual faculties must be so trained that true perception of morals shall be had, and also of the real interest of every man, namely, to live right. Or the will must be so cultured as to control arbitrarily, keeping the conduct in accord with statutory law and the current moral sentiment of society.

A somewhat extended observation of prisoners has convinced me that the criminal impulse is not so much a product of intrinsic personal depravity as of undeveloped intellectual faculties or a dormant will; that the proper education of the intellect, revealing to the mind the true moral quality of conduct, does release the apparently enchained conscience, very greatly assisting to produce reformation. With some prisoners it seems only necessary to develop self-control, when the other faculties fall into line and a reform is effected. Every step towards the due adjustment of the faculties of the mind bears fruit at once in modifying irregularities of conduct, and tends to produce the desired propriety of deportment. I have observed instances of radical reform beginning with sudden and violent emotional excitement, stimulating a subsequent increased activity of the reflective faculties and the will. But usually in such cases there has been considerable previous culture of the higher faculties; otherwise such reformations are apt to be ephemeral. Good impulses, clear intelligence and a strong will, constitute a strong character, upon which much reliance can be placed. The reformation of prisoners, then, is to be wrought within their minds by such cultivation of true intelligence as makes possible any habitual, just discrimination, together with a practical development of manliness by the practice of self-control.

The reliance for this difficult and delicate accomplishment is at present insufficient, consisting of

First — The pain inflicted by imprisonment — anguish of mind or body, or of both, supposed to produce penitence;

Second — Compulsory labor, designed to cultivate the habit and love of industry;

Third — The preaching and persuasion of the chaplain, the expected effect of which is, that prisoners shall forsake sin and live thereafter devoted religious lives.

Fourth — Some feeble reliance is beginning to be had upon the kind demeanor of prison officers instead of the usual austerity, upon so-called education (which is but an apology for education), and perhaps an occasional day of recreation, with relaxation of ordinary disciplinary restraint. This is the whole of it.

We need to consider and determine which of two principles shall underlie and inspire our efforts to reform prisoners, viz.: the principle of punishment and religious persuasion, or the principle of cultivation, which includes religion. The prevalence in the mind of the idea of punishment endured to satisfy the law, whether civil or moral law, is observed to be pernicious in its effects; but conscious suffering for remedial ends is of ennobling influence. I know it is held by high authority among theologians that the sense of law with its penalties, supported by an inexorable law-giver and judge, is necessary to the proper restraint of all. There may be much truth in this view, but it is believed that the practical value of such intimidation is limited to exceptional conditions, and among prisoners I have found very different effects upon their conduct towards the rule of the establishment, whether they view penalties as retributive and intimidating or as helpful to themselves, and to counteract, as far as possible, the evil influences of their disobedience upon their associates. Punishment, properly so called, may sometimes be necessary to maintain public order temporarily, but it is in itself an evil, and rarely, if ever, aids right moral development. It is apt to confirm those infirm conditions of head and heart out of which crimes do come. The prophet Isaiah expresses it in the words, "Why should ye be stricken any more; ye will revolt more and more; the *whole head is sick, the whole heart is faint.*" Unless prisoners can be brought to govern their conduct without the use of intimidating penalties, there is little hope of their reformation, for there can be no such certainty of detection and punishment for crimes as to exert a positive influence. There must be a new dispensation of remedial treatment and kindly cultivation coupled with a firm holding of restraint without relaxation.

In mixed society there is great propriety in the use of religious per-

suasion universally, because it is impossible to ascertain the more exact demands of different minds, or to meet the demands when found, with more definite means. But prisoners may be more thoroughly known and particularly treated. There are states of mind, or conditions of character, when the common religious ministrations are more likely to do damage than to prove beneficial. There is a "casting of pearls before swine," a giving of that which is holy to dogs. The value of religious influences rightly applied for reformation, can scarcely be overestimated; but this is not all. There is generally needed among prisoners much preliminary culture preparing the mind for religious influences. Therefore I do not hesitate to say that the principle of punishment and religious persuasions, as at present practiced, is not the best for the end desired, but the true procedure is by cultivation that shall culminate in sound moral or religious development. Now, what is essential to produce better and more uniform results as desired?

1. The principle of reformatory or indefinite sentences which involves, of course, centralized control of the whole prison system of the State, two or three establishments graduated to the proposed treatment, and some authorized supervision of prisoners after their release from domiciliary residence.

2. Based upon the above, some more efficient application and operation of the principle of hope.

3. A thorough system of cultivation, including physical renovation, intellectual education, and moral or religious impression.

The first requisite of a better system, as stated above, is designed to secure the uninterrupted control of the prisoner by a competent governing head, and, since the process is to be wrought within the mind, it must not be disturbed by influences arbitrarily introduced by third parties, nor cut short by the termination of the sentence, repressed by its undue prolongation, or diverted by other hope of release than by due improvement and preparation therefor. This involves such changes in our laws and judicial system, as that the courts shall simply commit to custodial restraint without ordering as to the duration of detention, or the degree of restraint to be maintained, or the particular treatment of the prisoner, but leaving this part of the matter to commissioners or a court created for that purpose, which shall determine from time to time, as each case may require; being governed by the observations of the prisoner to be had while under treatment. It provides means for putting the prisoner upon advancement at once, substantially as under the celebrated Irish prison system of Sir Walter Crofton. It also provides the moral restraints and assistance of an interested and authorized friend to follow the course of the prisoner after his release from confinement. It shuts out from the prisoner's mind the hope of release

by pardon, judicial clemency, or the expiration of sentence, and the dissipating effects of such expectations; presenting, instead, the strongest motive for efforts in accord with the reformatory plans of the authorities, who along with the prisoner are seeking his earliest proper release. Thus the very foundation of a good hope is laid, viz.: that of earnest desire, while the facilities for improvement afforded, must supplement the desire with reasonable expectations, when hope becomes an efficient agent for reformation, and the work of cultivation may progress with promise.

It is a fact not generally known outside of official circles that prisoners are commonly hopeless; by which I do not mean that they are in despair, but rather without any active desire for improvement until it is awakened by some extraneous influence, — a task generally found quite difficult. Doubtless most prisoners who are not, like the beasts, utterly indifferent except to the present, have hope of release from imprisonment, if not by escape or executive or judicial clemency, then by lapse of time and termination of their sentence; and the expectation may assist to sustain them in labor and waiting, without destructive depression. But this is only the hope of returning to their old associates and life with a better chance of escaping detection and imprisonment next time. This hope *must* be supplanted by the better one before any active reformative progress can be made. The system of sentences suggested will be most efficient for this; indeed, it seems the only known agency to accomplish it, and therefore is appropriately first in the requisites of a reformative system.[1]

It is found that even under time sentences, in the occasional cases where the hope of reformation has seized upon the mind, the thought of release relaxes its power gradually, until the prisoner, who is really improving, may be trusted without the common security of bolts, bars, or guards, thus completely supplanting that form of selfishness which in prison leads to the infraction of rules and plans to escape, and in society leads to crimes. I have recently sent off with a government surveying party, in an honorable position, one who, from ignorance of the most primary school knowledge when admitted to prison, has advanced into the higher branches of mathematics and general education, until well fitted for his place; who, while under sentence for ten years, faithfully (during a period of four years) performed the duties of night watchman, alone and unattended, over one of the cellular wings of the prison, with its hundred occupants, availing himself of these night hours to pursue his studies. The hope of becoming a civil engineer

[1] The proper discussion of the indefinite sentence principle and a description of its machinery would of itself occupy the entire limits of a separate paper, and so is passed by here.

has proved a most salutary inspiration for this man, rendering possible the culture he has imbibed in prison.

The operation of hope upon a prisoner's mind I have been able to trace somewhat as follows: The painful desire for release first felt on admission to prison, soon relieved by the expectation of securing it, is after a time lost sight of in the satisfaction of conscious improvement. Then hope needs a new stimulant, which is readily supplied by an opportunity to aid others in prison, and by the hope of usefulness after enlargement. The twofold motive, viz., the desire for personal social advancement and the expectation of benevolent endeavor, now need to be skillfully blended by the manager, when a new and nobler wish for restoration to society will appear. Usually at this point the prisoner will have a depressing sense of the stigma attaching to imprisonment in the public esteem, to be encountered on his release. The best ministry for such a state is personal converse with those who have triumphed over similar difficulties, and the published lives of such men and assurances of aid from a competent source, while the study of the life of Christ as the martyr to the noblest cause, and as revealing the Divine sympathy with all, sometimes gives a sense of the presence, power, and love of God so real that the soul leans on Him — is at rest and strong.

Given, the prisoners held under the reformatory sentence, controlled by a competent central board or court, with suitable subordinates having in charge the several establishments of the system duly graduated, and the supervising agents for those conditionally released, counting upon Divine aid, so far as we are in harmony with the natural order of moral development, then the reformation of prisoners becomes a work of detail whose success depends much upon skillful administration. The administration of a prison or prison system for reformation may be considered under the following heads, viz.: Examinations, Classifications, Medication, Industrial Occupation, Intellectual Education, Moral or Religious Impression, Domiciliary Detention, and Subsequent Supervision.

The Examination of prisoners on admission to prison should be most careful, comprehensive, and minute, ascertaining the circumstances surrounding the particular act for which they are committed, the bodily conditions at the time of it, and the habitual tendencies of mind. This involves a history of the prisoner from his birth, and all possible knowledge of his ancestors for two or three generations. Based upon this examination, Classification must be made, and constantly modified, as experience dictates. No such classification can be based alone upon the crime committed, nor upon the age of the prisoner, nor upon conduct as toward prison rules, nor should it be too

strictly upon the basis of character, good and bad, for sometimes mutual benefits to each are derived from limited contact of divergent characters with each other. A wise classification will combine elements or exclude them in view of all the interests involved, viz., health, government, pecuniary support, security, scholastical instruction, moral influences — the individual interests of each prisoner and of the whole having their appropriate weight. This work, popularly supposed to be so simple and easy, is found practically to be extremely difficult, and there is room here for exercise of the highest human wisdom and the most interesting experiments.

Morbid mental conditions, from which crimes emanate, are often the product of nervous diseases or disturbances produced by unfavorable sanitary circumstances. A skillful physician should apply scientific remedies as may be desirable, but much more than this should be done. The whole matter of hygiene is as important for the moral reformation of prisoners as it can be for the mental restoration of the insane. There have come under my own observation very interesting instances of change in the animal appetites wrought through active and maintained mental occupation, and also of the most palpable effects upon the mind by changes in the quantity and quality of food taken. Of course such observable effects require considerable time to evolve, but every effort of this nature, traceable to a cause, is of importance, and should be duly considered.

The Employment of prisoners in prison for reformative ends should be remunerative and of the highest type possible for them under the circumstances. It must be compulsory when need be, but cannot become an actual agent for good until cheerfully, if not voluntarily, engaged in. I do not believe the prisoner should at first or finally have the option to labor or not, as has been proposed lately by Mr. Alexander, of Missouri. Yet this principle would be incorporated into the last establishment of the graduated series under our system; but, if in any case idleness should develop, the prisoner would be returned to a grade where different inducements to industry inhere. Probably a mixed system of employment under contract and direct proprietorship of the State is best at present. The great lever for lifting prisoners into a higher moral and intellectual atmosphere is their Education, using the term to include a certain degree of moral culture as well as simple intellection. Actual experience has shown that adult prisoners may make three or four times the rate of progress in the same scholastical studies that the scholars in our public schools make, and without interfering at all with the industrial or disciplinary interests of the prison. The minds of prisoners may be so directed and absorbed that there shall be little room or opportunity for those thoughts and

imaginings that constitute its degradation by a proper adjustment of exercises, viz.: study, recitation, oral instruction to them collectively, including lectures which should be often in the natural sciences, that the study and pursuit of these may be induced, "for they furnish a most valuable training of the intellectual faculties through the steps of observation, generalization, abstraction, inductive and deductive reasoning." Of course such instruction must be simplified and adapted to the minds to be taught, but it is believed that increased knowledge of this kind frequently confers an increased feeling of self-respect and of duty and also an increased power to perform it. I have found instruction in music and drawing, the use of prisoners as teachers, the formation of a normal class, and of a literary society, each and all valuable means in promoting reformations.

For moral and religious impressions upon persons, it is of first importance that the officers and every one in authority should themselves be high-toned in this regard. With pure character, a generous, manly bearing, and good common sense, the happiest moral effects may be produced. General religious exercises must be maintained, but of what particular type is not important so that the instruction is rational, sincere, and without bigotry. It is after all the harmony of all these means that is most needed, rather than any particular value attaching to any one over another.

The question, to what extent offenders who are now committed to prison might, under a reformed system, be conditionally released or be better treated without imprisonment, is of inviting interest, but can only be determined by experiment. While there are prisoners in every prison who should never be released, there is on the contrary a considerable percentage of the whole who might be soon restored to society, without public injury, and with advantage to themselves. We are likely to underestimate the absorbent energy of free society. The sum of degeneracy not culminating in crimes is a hideous conception, but seems to be counteracted or neutralized by other influences growing out of individual necessities and relations, so that crimes are the exception and not the rule, as this view would lead us to expect. Imprisonment is but the least of two evils under any system and can never be anything else under the best system to be devised. Hence, it is worthy of inquiry whether there are not many offences and offenders for which and whom imprisonment might not now be abolished? The governor of an important State says, after an examination of the prisoners in the state prison, if it were not for the shock to the public sense likely to ensue, he might safely release one third of the prisoners within sixty days, and with beneficial effect upon all. With power properly lodged for conditionally releasing prisoners,

supervising them somewhat while at large, and for recommitting them if need be, as is proposed under the reformatory sentence plan, there can be no doubt but a sifting process may be carried on among prisoners, sending out those worthy from time to time with salutary effects. But the reformation of prisoners is affected also by their arrest and temporary detention in station-houses and jails, by their trial, indeed by their whole treatment from the moment the law fastens itself upon them, and it would contribute to the success of reformative effort in prison if important reform could be introduced here.

There is great reason to hope that with a proper prison system, supported by the public sentiment, a very large proportion of prisoners may be reformed in the sense in which that term is used in this paper, and that crimes may be somewhat repressed. Such a system cannot be provided in any State until the people at large have more information on the subject and a more decided interest in it. It is cause for gratulation that in this matter the promptings of true public policy and of benevolence both lead to the same practical measures in the treatment of prisoners, for when the humane sentiment of the people supports the statesman the desired reform seems quite within reach.

SIR WALTER CROFTON'S LATEST RECOMMENDATIONS.

As a commentary, and to some extent an approval of the above paper, though not bearing directly upon it, we have taken the liberty of quoting from the report of the New York Prison Association, presented to the legislature of 1874, the following paper by the founder of the Irish system, which has been adopted by that Association in reply to the question, "How can the great principles of that system, which work so well in Ireland, be applied in the State of New York without a constabulary or criminal police force, and without reconstructing the prisons and the constituted government of them?" This paper of Sir Walter Crofton will be read with greater interest now, as it obviously suggests a far better method of dealing with the overcrowded and corrupting prisons of New York than the statute to double the amount of commutation of time. By this new statute more than three hundred New York State Prison convicts have been liberated lately without any such preparatory influences as the Crofton system would provide. Though the Prison Association, with its local committees in all the counties and chief towns in the State, will undoubtedly succeed in guiding a great number of these released prisoners into better employment and safer surroundings than those of the prisons, it certainly is to be regretted that the legislature did not adopt a plan like that here suggested.

THE LETTER AND MEMOIR.

WINCHESTER, ENGLAND, *November* 23, 1873.

To Dr. Elisha Harris, Secretary of the New York Prison Association:

MY DEAR SIR,—I send you a brief memorandum which may be of some use. I write it on the assumption that supervision will be accompanied by improvement in the prisons, for otherwise I fear there will not be much advantage. The plan I have sent you, although crude, is sound in principle and will lead to better things. I commenced my own labors in overcrowded prisons in some such simple way. You are, of course, aware that our police are allowed to delegate the receiving the reports of conditionally liberated convicts to other competent persons, such as agents for discharged prisoners, ministers, etc.

Yours very truly, WALTER CROFTON.

MEMOIR.

I. In writing this memoir I take it for granted that the convicts to be liberated on certain conditions before the expiration of their sentences, and placed under supervision, will be only so liberated as the result of recorded good and industrious conduct in prison; for, without an improved prison treatment, very little, if any advantage can be obtained by "supervision."

II. It is stated that in the six penitentiaries and three State prisons of New York, there are 5,500 convicts, and that the crowding of some of these prisons is so excessive as to endanger both discipline and health.

III. So long as this state of things is allowed to continue, it will be clearly impossible to carry out improvement, and it will therefore be well to consider whether some steps might not be taken which would remedy the overcrowding, and at the same time be the means of gradually introducing sound principles of prison treatment.

IV. The abbreviation of the sentences, when permitted, should be made to depend on well-tested and duly recorded good and industrious conduct in prison, subject, of course, to exceptional crimes which, for example's sake, could not be so dealt with.

V. Now, in the state in which the prisons are represented to be, the best of conduct and industry which should govern the early liberation of the criminals will, no doubt, in the first instance be crude. A certain number of long sentenced prisoners would be selected for general prison good conduct, and informed that if within the *next six months*, or some other more convenient probationary period, they proved, by well tested and duly recorded good conduct and industry, deserving of the privilege, they would be liberated (conditionally as to good conduct when at large) a year, or any other period decided upon, before the expiration of their sentences.

VI. The probationary period of six months is, of course, a crude proposal caused by the gravity of the present state of things in order to remedy the overcrowding. The same motive power to improvement should ultimately be made to apply throughout the sentence from its commencement by a graduated scale of remissions arranged on a systematic plan.

VII. In adopting this course it would be well to arrange to place the selected men in a special part of each prison, so as the better to be informed with regard to their individual circumstances. I believe that a sort of cooperation with the authorities would be the result, and the subsequent supervision of those liberated become more practicable and effective.

VIII. The prisoners should be liberated upon such conditions with regard to bad associates and their general conduct, when at large, as would reasonably deter them from pursuing a criminal life. They should be obliged to report themselves monthly, and be prepared to prove their means of livelihood, etc. The prisoners should be thoroughly informed as to their liabilities, previous to their liberation, and that a forfeiture of the conditions upon which they are released would cause a reconsignment to prison.

IX. If the constabulary are distributed in such a manner as to render supervision by them practicable, it would be better that special and responsible officers of the force should be selected for the purpose. Otherwise, special agents might be appointed, or advantage taken of the magistracy, or of some minister in the locality, willing to act for the purpose. It would be well to call on the prisoners before liberation to name persons in their localities likely to befriend them; and then to arrange with competent persons a supervision of a friendly character to the well-doer, but at the same time of a nature which will restrain the evil-disposed by compelling them to observe the conditions upon which they have been liberated.

OUTLINE OF A PLAN.

Probationary test, supposing six months to be the period entitling to remission of sentence. This is very simple, and will realize itself to the minds of the criminals.

Each day's work, if very satisfactory in amount, to entitle the prisoner to one mark.

If six months is the probationary period, he would have to earn one mark daily, or in all 182½ marks.

Each day that the mark was missed, the prisoner would be delayed another day from his liberty.

The marks for industry to be only given on the assumption that the conduct is also good.

It will be observed that even by this crude plan a prisoner will realize that his progress to liberty will depend upon his own exertions.

Some care will be required in recording the marks, which should not be given for skill, but for industry. Yours,

WALTER CROFTON.

THE CROFTON, OR IRISH CONVICT SYSTEM.

To supply additional suggestions concerning this subject, we may perhaps venture to quote from the report on Prison Discipline, made to the St. Louis Prison Congress, May 14, 1874, by the chairman of the standing committee on that topic, in the National Prison Association. This report says: —

It is not yet two centuries since the first rude semblance of a system of prison discipline, as we now understand the phrase, was put forth in theory (hardly in practice) in the city of Rome, and by the wisdom of its pontiff, then Clement XI. This townsman of Raphael, when new to the papal office, caused to be inscribed over the portal of his new prison in 1703, the sententious maxim which Howard afterward adopted as his own: *Parum est improbos coercere pœna, nisi probos efficias disciplina* — "'T is idle to coerce the bad by punishment without making them better by instruction." This is the keynote of all the subsequent discussions of prison reform, from Beccaria and Howard, Bentham and Livingston, to Crofton and Brockway, the best living demonstrators of a science somewhat older and far simpler, but much less understood, than the science of chemistry. John Howard and Sir William Blackstone echoed it in 1779, when they wrote in the preamble of an act of Parliament their hope of "not only deterring others from the commission of crimes, but also of reforming the individual;" and in the hundred years that have since passed, this sentiment has found utterance in the penal codes of every civilized nation. To put it in practice has been found more difficult than to utter it; but various systems have been ingeniously framed and earnestly administered for the purpose of combining reformation with punishment. Of these systems the late Senator Sumner (who in his early career was an enlightened and earnest prison-reformer), writing in 1845, mentioned three as having been in force during his life-time: The *Solitary*, the *Separate* (or Pennsylvanian), and the *Congregate* (or Auburn) systems. But he added, with that rare foresight which made so many of his utterances prophetic, — "Perhaps the Separate system might be modified, so as to admit instruction and labor together, in a small class, *selected after a probationary period of separation*, as specially worthy of indulgence and confidence." Such a modification, he adds, was recommended by Edward Livingston in 1827, — and such the Irish intermediate prison at Lusk has for nearly twenty years exemplified in practice. And the Irish, or Crofton system of prison management, which has grown up since Sumner wrote, is now superseding both the Separate and the Congregate systems, out of which it grew, and of which it is a combination in their better elements. The Separate system still succeeds in several of the best European prisons, and it nominally prevails in many of

the Pennsylvania prisons; but in the greater part of Europe and America, the Congregate system, either that of Auburn or one more lax, is in common use. It is the latter which the Crofton system ought immediately to replace in America.[1]

In spite of many doubts raised against it, and some inherent or avoidable defects, I believe the so-called Irish, or Crofton system, to be the best for our American prisons, — and this not only for the State prisons and penitentaries, but for those of all grades. Of course, the whole machinery of the mark system, intermediate prison, preliminary separation and ultimate ticket-of-leave, cannot be worked in guard-houses and station-houses, where the prisoners spend but a few hours of the night or the day. But the spirit of the Crofton system will apply to long-sentenced or short-sentenced persons, — to jails, "lock-ups," workhouses, and all other prisons where men and women are shut up, and I shall be much mistaken if we do not, within a few years, see it so applied in some of the States of our Union.

What is now needed more than any one thing in American prison discipline, is the centralization of all the prisons of one jurisdiction, by placing them all under one control and inspection. The prison system, like the school system of a State, should be a consistent adaptation of one grade of prisons to every other throughout the whole jurisdiction where the same authority nominally prevails. Not that prisoners, like pupils, should graduate upward from one school of crime to another, until they finish their criminal education on the scaffold, — though this is not seldom the result under present circumstances. One of the most atrocious murders in New England, a few years ago, was committed by a criminal who began to be arrested and lodged in the station-house before he was twelve years old; who proceeded from the station-house to the reformatory prison, from the reformatory to the house of correction; from the house of correction to the state prison; from the state prison to the army in time of civil war; from the army to the house of correction again; thence to the scene of his crime, which, when detected, led to his return to the state prison, whence in due course of time he was led out for execution within the prison yard. Here the steps in crime and in punishment were so exactly timed to each other, that this murderer's career seems almost like the gradual education which leads the youth from the primary to the grammar school, thence to the high school, the college, the professional school, in due succession, until at last he takes his degree, an accomplished lawyer, physician or other professional man. But it is no such grim satire on the term "prison discipline" of which we are now speaking; but rather of such a gradation of prisoners as shall exclude from each higher stage those who have passed through and been benefited by the lower prisons. That would be the ideal system which would dismiss forever from the minor prisons those who had been instructed in a reformatory, and would exclude from the state prisons those who had undergone the milder penalties. And the nearer we can bring these different classes of prisons under one general management, the

[1] Perhaps it is strictly just to give this system (commonly known as the Irish Convict System) the name of Sir Walter Crofton, since it was first reduced to a permanent and feasible form by him. But the man of genius by whom it was invented was Captain Maconochie, who preceded Crofton by more than a dozen years.

more effective shall we find their deterrent and preventive power, now confessedly so small. Naturally enough, we see the best examples of this centralization of prisons in the smaller States, and perhaps Rhode Island comes nearest to what is spoken of. In the year 1873, however, the State of Maine passed a law which has greatly simplified the management of its local prisons, and is worthy of imitation elsewhere. The power to employ convicts in the county prisons of Maine, and to transfer them from one of these sixteen prisons to another, is now vested in the three inspectors of the state prison at Thomaston; so that, practically, all the Maine convicts, except the boys in the state reformatory, are under one board of control. The results, pecuniary and moral, are declared to be good, and after a longer trial of the new system they will doubtless be still better.

The primary prisons, properly speaking, should not be reckoned the houses of arrest and detention, but rather the reformatories to which young offenders are sent for months or years. Guard-houses and jails are the way-stations and waiting-rooms in which crime is temporarily checked, but not systematically dealt with as crime; they are the mere vestibules of the prison-house of a community. In the truant-school and the reformatory we enter upon the prison-house itself, — the lower stories, above which are the houses of correction, workhouses and penitentaries, or State prisons, — "convict prisons," as they are termed in England and Ireland. And it is interesting to observe, — especially when the observer, like the present writer, favors the application of the Irish or Crofton system of prison discipline, — that in the lower and the upper stories of our three-story prison system, the method of Maconochie and Sir Walter Crofton has already made an entrance and established itself quietly and gradually. In the State prisons the "commutation laws," by which sentences are shortened for good behavior, are the entering wedge of the new system; followed rather feebly, as we see by the efforts, public and private, to provide for discharged prisoners, not yet, as in Ireland, under strict police supervision. In the reformatories the whole discipline aims, and has long aimed, at what the Crofton method seeks and in some degree accomplishes.

THE DEAF-MUTE COLLEGE AT WASHINGTON.

A Paper by Dr. Edward M. Gallaudet, of Washington, D. C.
Read May 22, 1874.

On the 8th of April, 1864, Abraham Lincoln, then President of the United States, signed the following Act of Congress: —

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled: That the Board of Directors of the Columbia Institution for the Instruction of the Deaf and Dumb and the Blind be, and they are hereby authorized and empowered to grant and confer such degrees in the liberal arts and sciences to such pupils of the Institution or others whom, by their proficiency in learning, or other meritorious distinction, they shall think entitled to them, as are usually granted and conferred in colleges; and to grant to such graduates diplomas or certificates, sealed and signed in such manner as said Board of Directors may determine, to authenticate and perpetuate the memory of such graduation.

When this act was before the Senate for consideration, its passage was objected to on the ground that the measure proposed was without precedent. A distinguished Senator opposed the bill, because "it would empower this institution for the education of deaf-mutes to confer degrees in the arts and sciences the same as in Harvard University or Yale College." Another prominent Senator said: "I think it will rather make the institution ridiculous to give it the power to confer literary or scientific degrees, whereas I think it would be very proper to give it the power to confer some degree that may be framed or invented for the deaf and dumb."

But there were Senators who well understood the purpose of this Institution to establish a department of so high a grade that its graduates might properly receive degrees in the arts and sciences.

These gentlemen explained to the satisfaction of the Senate, what was intended to be done under the operation of the pending bill, and it passed without a dissenting vote. The House concurred in the action of the Senate without objection, and with the signature of the President the first chapter in the history of this College was completed.

Two months later, public exercises were held, in which the purpose and objects of the Deaf-Mute College were fully set forth, and within four days thereafter, Congress made an appropriation for the enlargement of the grounds of the institution. In September of the same

year, the College began its educational operations with seven students. Private benevolence supplemented the liberal action of Congress, and there was no lack of means for the prosecution of the novel undertaking. Doubts were, however, expressed as to the practicability of affording collegiate education to the deaf and dumb, and many who did not question the feasibility of the enterprise, were quick to ask: "*Cui bono?*"

As the work of the College advanced, and its numbers increased, the appeals made to Congress in its behalf called forth serious and sometimes violent opposition, this amounting, in 1868, to a prolonged effort on the part of the then leader of the House of Representatives to destroy the entire institution. But the sympathy and judgment of Congress was not with the enemies of the College. In every struggle, the enlightened and liberal counsels of its friends prevailed, and each session of Congress that has passed since the foundation of the College, has set its seal of unqualified approval on its work.

It is the object of this paper to present, briefly, the results of the ten years of labor and support which have been accorded to the Deaf-Mute College by its friends, in and out of Congress.

Situated within a half hour's walk of the Capitol, the grounds of the institution have been enlarged from two acres to one hundred.

Handsome and substantial buildings have been erected, and adequate means have been provided for the employment of a competent faculty of professors and instructors. Provision has been made for the assistance of poor students to such an extent that hitherto no worthy applicant has been denied admission. The seven youths who sought admission ten years ago, have been followed by one hundred and ten others, these representing twenty-five States and the Federal District New England has sent twenty-six, the Middle States twenty-four, the South twenty-six, and the West forty-one; so that it is almost in exact proportion to the population of the several sections of the country that the benefits of this single College for deaf-mutes have been distributed.

And if it is asked: "What are these benefits?" it may be replied: They are such advantages for mental and moral culture as are offered to hearing and speaking youth in their higher seminaries and colleges. The curriculum of study comprises the higher mathematics; the Latin, French, and German languages; the elements of natural science, including Chemistry, Botany, Astronomy, Geology, Mineralogy, Physiology and, Zoölogy; a full course of English philology and related studies; with ancient studies and modern history; not omitting proper attention to mental, moral, and political science.

It is too early to estimate the full advantages that may be credited to the labors and outlays of the first decade. But even the partial results that are apparent may be taken as affording a rich and encourag-

ing return. Twenty who have gone out from the College, have been engaged in teaching. Of this number, thirteen are now occupying positions as instructors in the several institutions for deaf-mutes in Connecticut, Ohio, Illinois, Iowa, Minnesota, Nebraska, Mississippi, Tennessee, Maryland, the District of Columbia, and the province of Ontario, Canada.

Two graduates of the college have become editors and publishers of newspapers. One in Massachusetts, and one in Washington, D. C., while three others have taken less prominent positions connected with journalism. Three have entered the civil service of the government; one of these having risen in less than four years from a clerkship of the lowest rank to a position of no less prominence and importance than that of a Principal Examiner in the Patent office.

Another graduate, while filling a position as instructor in a western institution, has done important service in the Coast Survey as a microscopist. Two have taken places in the faculty of their *alma mater*, and are rendering valuable returns as instructors where they were students but a short time since. Some have gone into mercantile and other offices; some have undertaken business on their own account; while not a few have chosen agricultural and mechanical pursuits, in which the advantages of thorough mental training will give them a superiority over those less educated.

Six have been called to pass from the life that now is to that which is to come, and all these left behind them bright evidence that they appreciated the true issue of earthly living.

One of these sainted alumni, stricken down during the last year of his college course, and who would have graduated with the highest honors had his life been spared, wrote to his sister, a fortnight before his death as follows: —

"It will take away half the bitterness of death to have been allowed to learn something: to have obtained one glimpse across the hills and valleys away off into that promised land of perfect knowledge, perfect love, perfect purity, where men no longer 'see through a glass darkly.' For such I take to be the result of study: the more one learns, the closer is he drawn to all things holy."

The College for the deaf and dumb is no longer an experiment. Greeted at its birth by some with questioning doubts, and by others with derisive contempt, it has proved not only that deaf-mutes are capable of high intellectual culture, but that having secured it, they may successfully compete with hearing and speaking persons in positions from which they were formerly supposed to be shut out by reason of their infirmity In estimating the results to be credited to the first decade of an institution such as we are considering, the most important fact of all is, perhaps, the insurance of its probable perpetuity.

The foundation of the deaf-mute College, using the term in its broad sense, rests upon the good faith of the nation itself. Representatives of our States and people, in five successive Congresses, have pledged the government to its support. Philanthropic and benevolent citizens have given promptly and cheerfully when called upon to contribute in its behalf. And there seems to be due warrant for the belief, that so long as deaf-mutes are found in the community, the college at Washington will be able to extend its benefits to youth from all sections of the land, who, but for its open doors, would be forever debarred from participation in such educational advantages as are freely accorded to our speaking young men and women in our higher seminaries, colleges and universities.

It may perhaps be inferred from the name *deaf-mute*, as applied to the College at Washington, that only those are received and taught who are actually *deaf* and *dumb*.

It is true that all its students are deaf; but many have fallen under this disability after having acquired full control of their vocal organs, and these possess a vivid recollection of all the varied phenomena of sound. Such persons are often termed *semi-mutes*, and their condition calls for even a livelier sympathy than that of those who have no means, in their own consciousness, of measuring the extent of their deprivation.

One of the recent graduates of the college, who had heard perfectly until his eleventh year, and who had cultivated music to some extent before becoming deaf has expressed the condition of such as himself in lines which may serve to show that the deaf are capable of poetic expression even when music remains to them only as a memory.

"They are like one who shuts his eyes to dream
Of some bright vista in his fading past;
And, suddenly, the faces that were lost
In long forgetfulness before him seem.
The uplifted brow, the love-lit eyes whose beam
Could ever o'er his soul a radiance cast.
Numberless charms that long ago have asked
The homage of his fresh young life's esteem;
For sometimes, from the silence that they bear,
Well up the tones that erst formed half their joys,
A strain of music floats to the dead ear,
Or low, melodious murmur of a voice, —
Till all the chords of harmony vibrant are,
With consciousness of deeply slumb'ring powers."

THE PROTECTION OF ANIMALS.

By George T. Angell, President of the Massachusetts Society for the Prevention of Cruelty to Animals.

If the time allotted to this paper were longer, I should be glad to speak of many matters relating to animals, worthy of thought, which for lack of time I shall not be able to discuss; as, for instance, their intellectual qualities, the languages by which they communicate their thoughts to each other; well authenticated instances in which they have exhibited a high degree of reason, and a keen perception of right and wrong; the belief of a large majority of the human race in their immortality, which belief has been advocated by many of the most eminent Christian theologians and scholars, including such men as John Wesley, Jeremy Taylor, Coleridge, Lamartine, and Agassiz.

The rise and progress of societies for their protection; the kind treatment they generally receive in Oriental countries; the fallacy of that doctrine that they were created solely for man, and not for their own enjoyment; all these topics of interest I should be glad to discuss, if there were not other and more important ones, sufficient to occupy the time allotted me. I should be glad to give some of my own European experiences in regard to the kinder treatment of animals there; to speak of the hard, smooth roads which I found all over Continental Europe, even in the highest passes of the Alps; how over a large portion of Europe carriage horses are not only exempted from check reins, but are also permitted the same use of their eyes which we give to saddle horses, cavalry horses, and artillery horses going into battle; how in European armies slaughterers are attached to each ambulance corps to kill horses badly wounded in battle, instead of leaving them, as we did, to die of starvation; how, in four months' residence at Paris, I never saw an omnibus horse unkindly treated, and only one case of overloading; also about European hospitals for sick animals, and temporary homes for stray ones; or, on the other hand, I might give you a picture of the wrongs inflicted on man's most useful servant, particularly in old age, which led the eloquent Ruskin to exclaim: "Has any one ever looked up to Heaven, with an entire understanding of Heaven's ways about the horse?" As illustrating these wrongs I will simply say, in passing, that the officers of the Mass. Society P. C. A. during the last year investigated nearly two thousand cases of cruelty to horses.

I should be glad to speak of the shepherd dogs of Scotland, and the Newfoundland and the St. Bernard, and the rich men's dogs that protect their masters' houses, and the poor men's dogs which are their masters' friends; or I might read to you an hour about the birds, without which, because of the wonderful fecundity of insects, Michelet declares "that man could not live." I shall only have time to say in regard to them, that in the report of the Mass. State Board of Agriculture, for 1873, you will find, first, that the annual loss to crops by insects, in the United States, is estimated at about four hundred millions of dollars; and, second, that a large proportion of this loss might be prevented by the proper encouragement and protection of small birds, and their nests; and that for the want of this encouragement and protection American birds are decreasing, and insects increasing.

But in the space allotted me I can only put before you some of the conditions, in this country, of animals that supply us with food; the bearing of those conditions on public health and morals; and the means by which those conditions may be changed.

TRANSPORTATION OF ANIMALS.

On the 16th of April, 1871, George E. Temple, a Brighton butcher, died, as appears from the verdict of the coroner's jury, of "blood poison, inoculated in dressing for market a dead ox, one half of the meat of which was sent into Boston for sale." On the 20th of April a joint special committee of the aldermen and common council of Boston was appointed "to ascertain whether unwholesome meats were sold in that city."

Five months afterwards the report of that committee, containing the official reports and testimony of state cattle commissioners, railroad commissioners, boards of health, and physicians, was published by the city government. By this report and the various official reports and evidence therein cited and contained, as well as by other official reports and evidence more recently published, it appears, —

1st. That our Eastern markets, in both cities and towns, are largely supplied with the meats of diseased animals, and to some extent with the meats of animals that have died of disease; 2d, that the eating of these meats produces disease in those who eat them; and 3d, that it is impossible to detect these meats after they have been dressed and put into the stalls.

If there were time I might read you pages of details of the manner in which animals are transported from the plains of Texas to the Atlantic coast, but they may be all generally summed up in the statement of Dr. Derby, Secretary of the Mass. State Board of Health, in his annual report for 1874, just published, "that the transportation of animals in this country, at present, is, in the main, barbarous and infernal."

From seven to eight millions of these animals, cattle, sheep, and swine, are thus brought annually from the West, to supply, not only our cities and larger towns, but also a large portion of our smaller towns with meat.

It is estimated that about six per cent. of cattle, and about nine per cent. of sheep and swine, nearly 600,000 in all, annually die on the passage, and a large portion of these are sold in our markets, either as meat, or rendered into cooking lard; while the cattle that get through alive, for the want of food and water, and by reason of the cruelty inflicted upon them, after losing on the average, in transportation, nearly a hundred pounds each in weight, from the most juicy and nutritious parts of the meat, come out of the cars full of fever, and many with bruises, sores, and ulcers; and these, together with smaller animals, to which the loss and suffering is, in proportion, equally great, are all sold in our markets for food.

These cruelties are not confined to Western cattle and long routes, but are inflicted, to a greater or less extent, on almost all animals transported to market; as, for instance, some time since, I read in the "Boston Journal," that out of 125 live lambs shipped from Vermont to Boston, in a single box car, 121 were taken out dead.

EFFECTS OF CRUELTY UPON THE MEATS.

What effects have these cruelties upon the meats?

The Board of Health of Chicago, in February, 1871, reported that "nearly one half the beef, pork, and mutton, offered for sale in that city, was diseased, and unfit for food."

The Cattle Commissioners of New York, in their Report of 1869, say: "It became apparent to the Metropolitan Board of Health, in New York city, that the alarming increase of obstinate and fatal diarrhœa in the metropolitan district, was caused by the use of diseased meats." And they add, that "not only do Western cattle lose a hundred pounds or more per head in transportation, but the tissues of their entire systems are turned into a feeble, disordered, and feverish condition."

The Massachusetts Railroad Commissioners in their Report of 1871, say that these meats endanger the health of our people.

Professor Agassiz says: "Let me call your attention to the dangers arising from the ill-treatment of beef cattle before slaughtering them."

Medical Inspector Hamlin, in his "Notes on the Alimentation of Armies," says: "The flesh of mammalia undergoes great change, by reason of fasting, disturbance of sleep, and long continued suffering, resulting in its not only becoming worthless, but deleterious."

In 1866 it was found in New York that hogs were killed by feeding upon the blood and entrails of animals diseased by transportation,

although they will fatten on the same material taken from healthy animals; and on the 16th of April, 1871, as I have stated, a Brighton butcher died of "blood poison, inoculated in dressing for market a dead ox, one half the meat of which was sent into Boston for sale."

CAN THESE MEATS BE DETECTED IN THE MARKETS?

Professor Cameron of Dublin says that "the flesh of oxen in the congestive stage of pleuro-pneumonia cannot be distinguished from that of healthy oxen."

The Board of Health of Chicago, in their Report published in 1871, speaking of the Texas cattle fever, say: "As a general rule, it was found impossible to decide by the appearance of the carcass, after the viscera had been removed, whether it was fit for market or not."

Dr. Derby, of the Massachusetts State Board of Health, says: "There can be no approach to certainty in the recognition of the meat of animals which had been sick at the time of killing, or which have been brought to the slaughter-house dead."

Horace W. Jordan, member of the Brighton Board of Health, also one of the Massachusetts State Cattle Commissioners, testifies before the Boston committee that "when the meat is examined here, it is almost impossible to tell whether the animal was diseased."

And Professor Gamgee states in the Edinburgh "Veterinary Review" of May, 1863, that he has known diseased cattle slaughtered, the beef of which had the appearance of being the best beef that a butcher can show; and yet pigs, dogs, and ferrets died from eating it, and horses died from drinking water into which the blood of one of these animals had run.

From these facts it appears that cruelty to animals avenges itself upon the consumer, and that we shall never be secure against disease from eating poisonous meats until animals are transported without cruelty; as they can be with little loss of weight, greater profit to railroads and everybody concerned, and complete protection to public health.

It was estimated at the Social Science Convention at Albany in 1869, that Texas cattle which then sold in New York market for about $100, could, with proper transportation, be sold there for about $40.

SLAUGHTERING OF ANIMALS.

Another subject. It is estimated that from sixty to one hundred millions of cattle, sheep, and swine, are killed in this country every year for food; probably more than two hundred thousand a day.

How do they die?

As in that merciful European slaughter-house described by Sir

Francis Head, and others; full fed and rested, under the inspection of government officers; in a place kept clean by the constant flow of water, without foreknowledge and without pain; or are they dragged, half-starved and frantic with terror, by a rope, or rope and windlass, into bloody slaughter-houses full of the signs of butchery?

In the light of medical science it makes a difference to the consumer how they die.

Dr. D. D. Slade, Professor of Zoölogy of Harvard University, in a recent lecture before the Massachusetts State Board of Agriculture, says, "the animal to be slaughtered should be conducted to the spot selected, quietly, without the use of goad or club, and everything calculated to alarm should be removed. All slaughtering premises should be kept cleansed from blood, and no carcasses be allowed to hang in view. No animal should be permitted to witness the death of another. Trifling as these measures may appear to the professional butcher, they are of vast importance, not only in view of avoiding cruelty, but as affecting the wholesomeness of meat; there being no question as to the effects of torture, cruelty, and fear upon the secretions, and if upon the secretions, necessarily upon the flesh."

Now please accompany me for a moment, not to one of the more brutal slaughter-houses where the cattle are driven in by men armed with spike poles, where our officers have seen them struck seven blows with the axe before they were knocked down, and where the eyes of cattle are sometimes pricked out that they may be driven in more easily. I will not ask you to go there; but go with me to one of the very best, and kindest, and least offensive, that you may see how these dumb creatures, under the most favorable circumstances, are prepared for your tables. I will simply read you the report of a respectable and reliable gentleman well known to me, and which has been widely published.

"On the 12th of July, 1872," he says, "I went to the slaughter-house of Mr. C. A. Thomas, at Peabody, — it being one of the best in New England, — to witness the mode and conditions of slaughtering.

"The animals were all forcibly drawn by a rope into the room, the floor of which was reeking and slippery with blood and offal, and in full sight of the heads, hearts, livers, and still quivering carcasses of those which had preceded them, which were hanging on the walls, and lying upon the floor around them. The cattle, of course, were wild with fear, and in a condition bordering on frenzy, were knocked down and dressed; and in this state of excitement and heat, growing out of their fears and struggles, were converted into beef.

"The establishment of Mr. Thomas may be regarded as a model one compared with any others in this region. I saw six oxen killed and dressed there, five of which were so badly bruised that to make them

look "all right" the butchers pared off great clots of swollen tissue, infused with blood and serum, weighing from a half to several pounds each, and threw them among the offal. Old sores were so neatly cut out, that the unskilled eye would never suspect they had existed. Some of these sore bruises were more than a foot in diameter.

"Cattle at all the slaughter-houses I have visited — at Peabody, Portland, Brighton, New York, and other places — show the same bruised and battered condition."

In confirmation of this permit me to say, that a Fall River butcher told a friend of mine that he was sometimes compelled to cut out of his beef from fifty to seventy-five pounds, diseased by sores caused by transportation; and a Lynn butcher, speaking of animals that die on the cars, said: "We cannot afford to lose them, so we dress them all, and what is not too far gone we put into the stalls."

These are the meats, which without any inspection whatever, are poured into our markets to supply us with food.

MILCH COWS.

Another subject, and next in importance to the public health, is the proper treatment of the animals that supply us with milk. It is well known to physicians and others who have investigated this subject, that not only the quantity, but also the quality of milk, depends on the manner in which cows are treated. If starved, frozen, or kept without sunshine, exercise, or companions, or worried by dogs, or frightened by boys, or improperly fed, or permitted to drink impure water, or water poisoned with lead, or kept in the foul air of unclean or improperly ventilated stables, or otherwise cruelly treated, their milk and its products are liable to produce sickness, and may produce death; in other words, that the milk of an improperly fed, or otherwise cruelly treated animal, may be as dangerous to the consumer as the milk of an improperly fed, or cruelly treated nurse.

Medical books abound with cases showing this danger, — "a child dying in a few minutes after being nursed by its mother while in a state of great excitement," — "a young dog thrown into epileptic convulsions from a similar cause," — "pigs killed by being fed on the milk of diseased cows." These are some of the cases cited in the medical books and elsewhere. Dr. Brown-Séquard, in a recent lecture, says: "Mothers who give way to anger, or other emotions, often injure the infant's health for life, if it be not killed outright."

See also on this subject the 1873 Report of the Mass. State Board of Health; under the heads of "Infant Mortality," and the "Adulteration of Milk;" see also Carpenter's "Physiology," Cooper on "Diseases of the Breast," and other medical works on the subject.

Now thousands of cows giving milk which is used in our cities and towns, are uniformly, or at times, kept in improper localities, improperly fed, or otherwise cruelly treated; resulting in adult sickness and infant mortality. To those who have read the official evidence on this subject, there can be no doubt that if the causes of sudden and early deaths were truly written in our cemeteries, they would read in many instances, "Died because somebody violated God's merciful laws, established for the protection of his lower creatures."

CALVES.

"Our calves," say the Boston Committee, in their Report before referred to, "are brought mostly from Western Massachusetts, Maine, Vermont, and Canada; they are kept two or three days without nourishment after being taken from the cow, while the car load is being made up; they are then shipped, from 90 to 100 of them in each car, and if one falls, it is pretty sure to be trampled to death; they are slaughtered from one to three days after their arrival; they are too young to eat hay, and nothing else is given them to eat during four to six days that they are kept after being taken from the cow, and during this time they are bled, to make their flesh look whiter." Sometimes, I may add, they are bled several times before they are killed, to make the flesh look whiter; a practice, which as our best physicians say, makes the meat indigestible and unwholesome. Very different these practices from what I found in Paris, where calves were carried to market in good condition, were fed regularly with a preparation of eggs, meal, and warm water, up to the time of killing, and where a butcher would have no more thought of bleeding a calf before killing it, than of bleeding an ox, cow, lamb, or any other creature.

SHEEP AND FOWLS.

Another matter of common occurrence here is the shearing of sheep in cold weather, before they are sent to market, which compels them to shiver and freeze sometimes several days before they are killed. 'There are more or less dead sheep on every train," say the Boston Committee, "and those that are sheared get badly bruised." Also plucking fowls alive; also packing live poultry so closely in crates that many of them die of suffocation; all of which things are not only cruel to the animals, but also injure the meat, and to a greater or less extent endanger the public health.

CRUELTY ALWAYS INJURES THE MEAT.

So universal is the law that cruelty to the animal injures the meat, that an eminent English physician, Dr. Carpenter, in a recent letter to

the "London Times," assures us that the meats of animals which have been made fat by overfeeding, will sometimes produce gastric diseases in those who eat them. In England it has been found that the flesh of hares chased and worried by dogs, becomes diseased, and soon putrifies. Old hunters tell us they do not like to eat the meat of deer which have been run and worried by dogs, and that they sometimes, when hunting, shoot dogs to prevent their worrying the deer, and so spoiling the meat. The same doctrine applies to game caught and tortured in steel traps. In an essay which took the prize at the New England Agricultural Fair of 1872, I find that the flesh of animals killed when in a state of great excitement, soon putrifies; and that the flesh of animals killed instantly without pain, is found to contain elements indispensable to the easy and complete digestion of the meat (amongst which is one named "Glycogene"), and which elements are almost, or entirely wanting in animals that have suffered before dying.

EFFECTS OF CRUELTY TO FISH.

Fishermen, in some parts of Europe, and, I may add, some parts of this country, kill fish with a knife or bludgeon as soon as they are taken from the water, because fish thus killed are found to be better than those which have long gasped and struggled before dying. Professor Slade, in his lecture before the Massachusetts State Board of Agriculture, before referred to, says on this subject, "Various modes of killing fish are practiced. The Dutch, for example, destroy life by making a slight longitudinal incision under the tail with a sharp instrument." "On the Rhine, they kill salmon by thrusting a steel needle into their heads." "Fish may be easily killed by striking them a quick, sharp blow, with a small stick on the back of the head, just behind the eyes, or by taking them by the tail and striking the head quickly against any hard substance."

And the professor continues: "It has been observed that fish which are instantly killed on being taken from the water, are vastly superior in taste and solidity to those which are allowed to die, as is the universal custom with us. And why," he continues, "should this not be the case? Why should we make a distinction between animals that swim, and those that fly or run? No one of us would think of eating beast or bird that died a natural death."

OUR SALT WATER FISH.

Perhaps, in the light of these authorities, it is well to inquire how the fish brought to our markets are obtained, and how they die.

At the present time nearly all our salt water fish are caught on what are called "trawls," or long ropes, with ten hundred to twelve hundred hooks and lines attached, sunk by stones or heavy weights at either end

to the bottom; the fish are caught, of course, near the bottom, and struggle there a considerable time until they die, and then lie dead in the water. Usually the trawls are taken up the same day they are put down, but frequently not until the next day; and sometimes, in bad weather, not for several days. In the mean time they lie dead in the water. I am told by Swampscott fishermen that they sometimes pick over a hundred, and sometimes even a thousand of these fish before they find one they are willing to take home to their families. The rest are sold in our markets, and I may add that hundreds of thousands of young fish of no value are caught and killed on these trawls, having no time to grow; and because of this, fish are becoming so scarce on our coast that a fisherman cannot now take, on the average, on a trawl, with a thousand or twelve hundred hooks, so many pounds of dead fish, as he used to catch of live ones with a single hook and line.

Other cruelties are inflicted on fish caught alive, in trying to keep them alive. Also on lobsters, in the boiling of which, sometimes while the lower lobsters in the kettle are boiled, the top ones are trying to escape.

For the public health, if for no other reason, these things should be investigated and stopped.

CATTLE IN WINTER.

A vast deal of cruelty is inflicted upon many domestic animals before they reach the cattle markets, particularly during our long winters, through the want of food and shelter.

One of the first cases which enlisted my sympathies in this subject, was, when passing many years ago, in early spring, the house of a wealthy, but miserly woman in a town near Boston, I saw driven from her yard a cow that was simply a skeleton; nothing but skin and bones; she was hardly able to stagger through the street. On inquiry, I found it was the custom of this wealthy woman to keep that poor animal during the entire winter just at the point of starvation, to save the cost of hay.

MERCIFUL KILLING OF DOMESTIC ANIMALS.

There is great need of information in regard to the most merciful methods of killing our domestic animals.

In a case recently reported to me, a nominally Christian, and for aught I know, kind hearted man, led his old horse through the snow into the woods, and beat him on the head with a club, and left him for dead. Three days after, the old horse came crawling back into his master's door-yard.

At the request of the Massachusetts Society for the Prevention of

Cruelty to Animals, the professor of zoölogy of Harvard University has recently prepared a small pamphlet, illustrated by cuts, showing how to kill each domestic animal in the most merciful manner.

KILLING OF ANIMALS BY BOYS.

Our smaller domestic pet animals, such as dogs, cats, and the like, are, in probably a great majority of cases, killed cruelly, when it would be easy to have some one in every town, as we now have in Boston, to kill them mercifully, with a little chloroform, or otherwise. And this killing, not unfrequently, is intrusted to boys.

If there were more time, I could give you many instances within my knowledge, which are but samples of thousands of cases constantly occurring, illustrating the cruelty thus inflicted upon the animals, and its pernicious influence on the boys.

Dr. Ellicott, Lord Bishop of Gloucester and Bristol, one of the best thinkers in England, says, "Wantonness in the child, if unchecked, is sure to deepen into cruelty, or indifference to it in the man."

I could give you pages of similar opinions.

REMEDIES.

For all these wrongs which I have enumerated, what is the remedy? First, better transportation. The Jewish Rabbi goes to our markets and selects what seems a healthy animal. He stands at the slaughter-house while it is slaughtered and dressed. During the process, he carefully examines its internal organs, and if he finds the slightest trace of disease, passes it over to the Christian.

When public opinion shall demand the same inspection of animals, both before and after they are killed, now practiced in Continental European cities, and by the Jews, so far as I am informed, everywhere, and the Christian inspector shall stand at our cattle markets, side by side with the Jewish Rabbi, to condemn, and cause to be destroyed the meat of every diseased animal, then animals will be brought to our markets without cruelty, and the Christian will eat as good meat as the Jew.

Cattle cars have already been invented and tried with entire success, in which cattle can be carried thousands of miles with food, water, and rest, and arrive in good condition.

When these cars come into general use, railroads will make more money, because one third to one half more cars will be required to transport the same number of cattle; dealers will make more money, because (saying nothing of animals that die on the passage) an enormous waste of the best parts of the meat will be saved, and this saving will not only pay the increased charges of transportation, but also leave an immense

margin of gain; and consumers getting wholesome meats at one half to three fourths the prices they now pay for diseased meats, will buy larger quantities, and so increase the trade. I will also further state what I should be glad to prove, if there were more time:

1st. That it is perfectly practicable to supply all animals in transportation with food and water. 2d. That the keeping of calves several days without nourishment is entirely inexcusable, for they will readily drink flour mixed with water; and 3d. That all animals can be transported on cars properly constructed, with the same speed as men, and the saving in their value will more than pay for their rapid transportation.

BRIGHTON ABATTOIR.

How prevent the starving of animals before they are slaughtered, and secure merciful methods of slaughtering them?

We have now at Brighton, Mass., one of the best abattoirs in the world, where every animal can be killed in the most merciful manner; though for want of proper inspection (for which the legislature has been petitioned) animals are killed there with much cruelty.

This abattoir is so constructed that each of the larger animals, after being slaughtered and dressed, may be carried immediately by machinery to another room; all the refuse matter passed through the floor into small metallic wagons, in which it is carried to the rendering house, and every trace of blood washed off before the next animal is brought in — and calves, sheep, and swine can be killed there without cruelty, by having each brought singly to the slaughter room, by some one having no blood on his clothing, and stunning it with a single blow of a mallet or hammer, just before, or at the moment it is brought in.

In several of the smaller slaughter-houses of Massachusetts, they now have, for killing cattle, just outside the slaughter house, box-pens, like a horse's stall, with a door at each end; the animal is driven in and instantly stunned and killed by a single bullet in the head, from a rifle, thrust through an open slide in the front door; the animal is at once hauled into the slaughter room, leaving no blood in the pen to terrify the succeeding animal, and injure its meat.

By this process it has been found that much time is saved, which, under the systems now generally practiced, is lost in hauling or driving animals into bloody slaughter-houses.

All that is needed is a public opinion which shall require these forms of slaughtering to be generally practiced; and that faithful inspectors shall be stationed at the larger slaughter-houses to see that they are properly carried out, and all animals properly fed and watered up to the time of killing; then the sixty millions, or more, of dumb creatures that are now killed annually in this country for food, will die without pain to themselves, or danger to the consumer.

HUMANE EDUCATION.

How improve the treatment of animals that supply us with milk? and how protect birds and their nests? and how check every form of cruelty inflicted on dumb creatures?

1. By circulating information.

2. By humane education, through facts in natural history, pictures, stories, songs, sentences on the blackboard and in copy books, prizes for compositions, instruction by teachers, talks to and with the children in our schools, Sunday-schools, and in every home.

Realizing the importance of this, the French Minister of Public Instruction ordered the publications of the French Society for the prevention of cruelty to animals to be circulated in the French schools, and called the attention of all the teachers of France to the importance of educating the children humanely.

The Ladies' Humane Education Committee of the Royal Society of England, sent at one time a humane publication to about twenty-five thousand school-masters in Great Britain, with an address, asking their aid in the schools.

The Royal Society of England, and several societies in the United States, have adopted the plan of giving prizes to pupils in the schools who write the best compositions on the subject.

The French society, instead of prizes, gives medals of gold, silver, and bronze to those who have shown the greatest kindness to animals. The Archbishop of Bordeaux, Monseigneur Donnèt, in a recent address, states that in a number of the dioceses of France, it is the custom of the pastors of the churches, when preparing children for their first communion, to require from them a promise never to ill-treat any dumb creature.

In many of the schools at Portsmouth, N. H., they have adopted the practice of having humane stories or other humane selections read daily to the pupils in each school.

The Hon. J. C. Dore, former President of the Board of Education, also of the Board of Trade, of Chicago, and who has perhaps done as much for dumb animals as any man in the West, assured me that he attributed all his interest in the subject to verses which his teacher handed him when a child.

EASY TO INTEREST CHILDREN.

It is very easy to enlist the sympathies of children in the animal world. Take, for instance, the history and habits of birds: show how wonderfully they are created: how kind to their young; how useful to agriculture; what power they have in flight. The swallow that flies sixty

miles an hour, or the frigate bird which, in the words of Audubon, "flies with the velocity of a meteor," and according to Michelet can float at an elevation of ten thousand feet, and cross the tropical Atlantic ocean in a single night; or those birds of beauty and of song, the oriole, the linnet, the lark, and sweetest of all, the nightingale, whose voice caused one of old to exclaim, "Lord, what music hast thou provided for saints in heaven, when thou hast afforded such music for men on earth."

Or, take that wonderful beast of the desert, the camel, which, nourished by its own humps of fat, and carrying its own reservoirs of water, pursues its toilsome way across pathless deserts for the comfort and convenience of man.

Is it not easy to carry up the minds and hearts of children by thoughts like these from the creature to the infinitely wise, good, and powerful Creator?

I believe there is a great defect in our systems of education. I believe that in our public schools it is quite as possible to develop the heart as the intellect, and that when this is required and done, we shall not only have higher protection for dumb creatures, and so increased length of human life, but also human life better developed and better worth living. I believe that the future student of American history will wonder, that in the public schools of a free government, whose very existence depended upon public integrity and morals, so much attention should have been paid to the cultivation of the intellect, and so little to the cultivation of the heart. Only a few weeks since, the educated submaster of a high school in one of our cities, was fined forty dollars and costs, for throwing a dog which had followed some of his pupils to school, from the third story window of his school-house to the pavement, where it lay mangled and bleeding until a humane gentleman passing, put it out of pain.

Let us study the experiences of the Quakers, Moravians, and teachers of the Kindergarten. "Ever after I introduced the teaching of kindness to animals into my school," says M. De Sailly, an eminent French school-master, "I found the children not only more kind to animals, but also more kind to each other." "I am sure children cannot be taught humanity to animals, without at the same time being taught a higher humanity," says the superintendent of the Boston public schools. "The great need of our country," said Hiram Powers to me at Florence, "is more education of the heart."

CONCLUSION.

In conclusion, then, the remedy for all the wrongs which I have endeavored to portray, consists, first, in the enactment and faithful enforce-

ment of laws; second, in faithful inspection at cattle markets and slaughter-houses; and third, in general humane education, particularly of the young.

How are these things to be obtained? I know of no other practicable method, in this country, except through the agency of organized societies for the prevention of cruelty to animals, which shall strive to circulate information, and promote humane education; and when other means fail, shall have power to enforce the laws.

In the better time coming, I am sure many of these wrongs must cease, and that doctrine which Christ taught in his Sermon on the Mount, "Blessed are the merciful, for they shall obtain mercy," will come to be more earnestly preached in our churches, and more generally taught in our schools.

In the mean time it is my duty to work; and in pursuance of that duty, I have come before this meeting of American scholars held in the interests of social science, to speak for those who cannot speak for themselves, and in their behalf to ask you to encourage and aid this work.

THE PROTECTION OF ANIMALS IN GREAT BRITAIN.

We find in the "London Examiner" of June 27, over the initials "F. P. C.," a brief account of an International Congress in London last month, for considering the protection of animals. The article says, —

It is now just half a century since the Royal Society for the Prevention of Cruelty to Animals was founded, amid the jeers and laughter of half England. Even Sydney Smith, the witty and the wise, devoted an article in the then omnipotent "Edinburgh Review," to crush the infant efforts of humanitarianism, under a heap of jests more ponderous than usually fell from his hand; while the streets of London echoed with the choral complaint that

> "Things is come to a pretty pass,
> Since a man mayn't wallop his own jackass."

Tempora mutantur, and now the Society enjoys an income of seventeen thousand a year, reckons its legal victories by hundreds a month, and welcomes to council, from Egypt, India, Australia, America, and nearly every country in Europe, delegates of kindred societies, of which it has been the parent and model. The poet Moore, like other people, laughed at the originator of the first Act ever passed by a Christian legislature against cruelty to animals, and ironically prayed to be placed

> "Where Dick Martin rules
> The houseless wilds of Connemara."

But this uncouth Irish squire, the amiable Lady Mackintosh, and the few

other friends who at that early period bore the brunt of the Homeric laughter, might, were they now alive, point to their work, and ask what other social movement of their generation has done as much as theirs to make the world a better and a happier place.

The recent Congress has been, of course, as such things seem destined by nature to be, a little pompous and tedious. Aristocratic and episcopal patrons in the chair cast some degree of dignity, but not, perhaps, much liveliness, over the proceedings; while the necessity for translating every paper and speech successively into three languages, rendered the discussions exceedingly tedious, notwithstanding the marvelous ability wherewith which the German renderings were effected by Baron Ravenstein, who generally contrived to make each oration sound at least half as well again as in the mouth of the original speaker. The Jubilee at the Albert Hall, where the Duchess of Edinburgh distributed the prizes allotted by the Society, was, of course, everything which could be desired in the way of dignity, as was the garden party at Highgate, where Lady Coutts received the delegates, and seemingly, also, a good many persons who were not delegates.

On the whole, we think the Congress is sure to have done something towards encouraging workers in the cause of mercy all over the world, besides usefully ventilating many important questions connected with the transport and the slaughtering of cattle and fowls. Many readers of the proceedings will indeed have been relieved from a nightmare by the assertion of the French Vice-President, that the veterinary cruelties which have made Alfort infamous have been recently stopped, owing to the simple cause that the price of horse-flesh has so far risen as an article of consumption that the carcass of a worn-out or disabled horse is now worth about 150fr , and therefore is too expensive a practicing block for the knives and saws of the students. Perhaps this assertion (as we have reason to fear) ought to be taken with a certain degree of reservation. The practices so often exposed were certainly still carried on in the French provinces not many months ago, under the usual authorizations from the Minister of Agriculture ; but we may be thankful that, if not altogether abolished, they have become very much more rare, and must eventually come to an end.

The principal interest of the Congress centred in the long and animated debate on Vivisection, which occupied several hours on Tuesday, from noon till the close of the proceedings. Dr. Arthur de Noe Walker read a very earnest, but studiously moderate paper, recommending the legal limitation of scientific experiments, and exposing their many abuses as now carried on without check ; especially the repetitions of the same tortures by scores of inquirers, each desirous of satisfying his own curiosity or exhibiting experiments for the illustration of lectures to students. A letter from Lady Coutts entreating the Congress to take action on the matter was also read, and reference made to the Queen's message of the previous day on the occasion of the Jubilee, after which Mr. Hutton, speaking with much eloquence, proposed a resolution to the effect that painful experiments on animals, if not already illegal (on which point there are two opinions), ought to be prohibited except under license and precautions for publicity.

Of course, at this point of the discussion, the audience were destined to hear from the medical side the usual appeal to human selfishness which rarely fails of effect. One speaker had already vaunted the beneficent discoveries of Dr. Ferrier, and Mr. Hutton had read an extract from that gentleman's own account of his method of operation upon various dogs and cats, thoroughly conscious of their tortures, which drew groans and cries of "shame" from the audience. Another advocate of Vivisection represented the physiologist as a sort of scientific Prometheus, so oppressed with sympathy for the diseases of humanity that he was ready to sacrifice — not precisely himself — but all his feelings of compunction for animal suffering, to make experiments, and he urgently deprecated any attempt to place a legislative limit on such experiments, alleging that it would only drive men of science, who now conducted them aboveboard and in open day, to carry them on in secret. The last observation was somewhat ill-advised, for Mr. Colam, the Secretary of the Royal Society for the Prevention of Cruelty to Animals, rose immediately, and informed the audience that so far from the present experiments being aboveboard, he had been long vainly seeking to obtain legal evidence concerning any one of those which were continually detailed in scientific manuals, and that the authorities of a certain Institute, intended for the relief of animal suffering, refused peremptorily to admit into its precincts, on any pretext, any officer of his Society. He challenged Vivisectors to make their experiments in public, and so to allow their legality to be fairly tried. This cartel, it is needless to say, was not taken up by the friends of Vivisection; but the delegates and audience generally accepted Mr. Colam's manly statement of the case with cordial sympathy, and, after some pertinent observations from Mr. George Fleming, Mr. Hutton's resolution was seconded by Dr. Mouatt, and passed without a dissentient voice.

It is not often that in a debate of this kind we come so nearly to the true ground of difference as was reached in this argument. The question of Vivisection is practically a question of publicity. There is at least *primâ facie* presumption that the law against cruelty to animals (a law, by the way, from which the word "wanton" was intentionally omitted at its last revision) is distinctly broken by such experiments as those which many physiologists describe themselves to have performed. Read in their plain and natural sense, these experiments are not merely cruel, but hideous instances of cruelty. But, on the other hand, Vivisectors tender to us continual assurances that they are most careful to inflict no unnecessary pain, and that they use anæsthetics so universally and continuously that the animals, even when subjected to frightful mutilation, practically suffer nothing at all. Let this question, then, be set at rest. Let competently qualified Inspectors be appointed to visit all physiological laboratories. The public will then know *à quoi s'en tenir* regarding the asseverations of physiologists respecting the painlessness of their operations. Possibly they may find it is a mere bugbear which has been tormenting the minds of so many humane persons, and that really there is far less cruelty in a physiologist's laboratory than in any ordinary slaughter-house. In such case, men of science and the public will equally have reason to rejoice at the clearing away of an unjust and painful prejudice. On the

unhappily possible also that it may prove that the pertina-
mes of physiologists to anæsthetics has been mere dust cast in the
ic; that, after the first incision, the effects of the anæsthetic
and the animals endure prolonged agonies altogether unmitigated
ch applications; and, finally, that custom has so hardened the hearts
limmed the moral sense of the "Dilettanti of Discovery" that they be-
absolute indifference while at their work as to whether the sufferings of
victims be great or small. In the latter case it will very obviously be
duty of the legislature, in the interests both of human nature and of the
es, to bring to bear the force of law as well as of public feeling to restrict
practice of painful experiments upon animals within the narrowest of all
ible bounds.

AMERICAN FINANCE.

A Report from the Finance Department, by Professor W. G. Sumner. Read Thursday Evening, May 21, 1874.

At no time during the existence of this Association have the questions which it is the peculiar province of the Financial Department to investigate occupied so large a share of the public attention, or possessed such great practical importance, as they do to-day. Their importance is attested by the fact that the industry of the country has been more or less arrested for eight months, waiting for their solution. The public interest in them is shown by the multitude of pamphlets, books, and articles treating them in one way or another. This activity of interest in the investigation of financial questions is in itself a cause of great rejoicing to the Association. We have been obliged to pursue these subjects without the incentive of public interest, and we have lacked the encouragement of general attention. Our occupations were pursued by a few, in obscurity and neglect. Our results were received with indifference or ridicule. The blow having fallen, however, and being recognized as only the first blow of a series, it is now perceived that whatever may be the pet doctrines of one or another, the questions at issue imperatively demand a clear, definite, and final solution.

The public discussion, indeed, does not as yet promise much in the way of such a solution. Views, opinions, doctrines, and schemes of the utmost diversity and of the most contradictory nature, are before the public. There is as yet no discussion in the proper sense of the word. There are no common grounds in fundamental doctrine. The premises themselves are disputed more tenaciously than the inferences. There is no agreement as to the methods of investigation, the nature or the weight of the pertinent arguments, the sources to which we must look for light. It follows of necessity that the results are diverse to the last degree. Instead of an orderly discussion we have, therefore, something more like the outcry of a mob, each shouting for himself and no one listening to another. In one point of view this is discouraging enough; but we cannot forget that out of this turmoil the popular education must come. It has been sometimes said that Democracy was on trial during the war; but Democracy is going through a trial now far more severe and searching than any that comes

under the enthusiasm and passion of war. To educate millions of voters to sufficient knowledge of a technical and scientific subject, involving self-denial, firmness, and perseverance, in the presence of dull and passionless peace, and for a good which is not immediate but remote, involves the severest test to which popular institutions have ever been put, one which hitherto they have never endured. By this time, however, it must be evident that this is what we have got to do. The wish, real or supposed, of a numerical majority of the population, governs legislation, and governs the outcome of this matter. A legislature strong in the comprehension of sound principles, bold in the assertion of them, ready to stake individual interests for the public good, might no doubt lead and remould public opinion; but we all know that we have not got this, and that we cannot get it until we work lower down on the creative power which makes legislatures. In this point of view the popular agitation and discussion, unmethodical as it is, and little adapted to satisfy a scientific thinker, is a great good, for it is carrying on a work of education to which we must look in the last resort for the desired result.

In criticising the discussion of this subject as thus far carried on, it is possible to make one summary and conclusive distinction. The opinions and doctrines advocated fall into two classes according to the stand-point of the disputants. There are some who regard the questions as liable to numerous answers, and the problems as solvable in a number of arbitrary ways, and there are others who regard the questions as scientific in their character, and who, therefore, can look upon only one solution of the problem as correct, viz., that one which is in accordance with natural laws.

The distinction here marked is familiar to us in every department of human interest. So long as we look to an empirical solution of the problems which perplex us, so long do they admit of diverse and contradictory solutions, and so long do men wrangle and dispute about them without result. It is only when the sources and criteria of truth are recognized, and when the scientific method of analysis, comparison, induction, and generalization is applied, that we begin to advance with firm step, united purpose, mutual support, and unquestionable progress. The social sciences seem to be the field upon which this fact is to be recognized last of all. The phenomena are here patent to all. Who shall tell the man who has bought and sold all his life, that the facts of his experience bear a correct interpretation totally opposite to that which he has reached? Who shall convince a man of humanitarian sympathies that the measures which he has employed, because at first blush they seemed to him adapted to cure the evil he sees, will really defeat it, or only lead to still worse evils? Who shall stop a passionate

man, at the moment of resorting to violence, to enforce cool measures and long and patient means? The facts are open to all eyes. The means to the end seem patent to everybody. That these social and economic circumstances are subject to universal natural laws which we cannot alter, seems to be a strange doctrine which people are slow to understand. That there is anything here to be wrought out by study and investigation, or by scientific process, is not popularly believed or understood. Those who so assert are easily dismissed as theorists. Those, then, who do not look upon the problem as governed by any natural, universal, and inevitable laws, set to work to invent some plan for convertible bond redemption, or for mixing up bonds, greenbacks, and bank notes in some new way, and believe that they have solved the problem. The greatest financier on this theory is the man who, in the freest contempt for human nature, history, and statistical facts, invents an *à priori* theory, on which he is willing to stake the finances of a great nation, with all the vast physical and moral interests which the finances affect. If these men had to manage a locomotive they would find out the laws of construction of the machine, and would conform to them. They would not expect to make it go by ringing the bell, although the bell is always rung when it starts, and they would not believe that they improved its working qualities by making it more complicated. If they saw some boys at play under a dam which they were weakening by their operations, they would interfere, because they would say that ignorance was bringing down loss of life and ruin of property; but they lay hands on the widest and most delicate interest of forty millions of people without a compunction. On the other hand, those who believe that there are financial laws which are as imperative as the laws of mechanics, must consider it their chief business to find out what these laws are, and when these laws are found they have just the same authority as any other laws which govern our existence in this world. We must obey them, and we can only hope for physical prosperity by obeying them, just as we attain health only by obeying the laws of health. In this view of the matter, history, — which is nothing but a record of the operations of human nature, and of the experience of men under the conditions of human life, — together with statistical information, constitute our chief means of solving financial problems. The field of our skill lies in interpreting and generalizing laws from the facts before us, and not in inventing schemes which take no account of facts.

We cannot doubt, then, that this is the real issue upon which it is most important that a correct conviction should now be reached, whether our case is to be cured by empirical means, by trying one experiment or another, or whether we must simply find out the laws which we

ought to obey and obey them. As for a compromise, there is no more possibility of a compromise here than on any other scientific question. We might as well try to compromise between evolution and special creation.

In looking at the actual condition of the country, it will not be expected that this report shall enter largely into facts. In its general features it is known to all, and its character is such as to give the gravest anxiety to those whose aim it is to develop the methods and conditions of national prosperity. In view of the phenomena of similar periods at home and abroad the causes may be easily determined. They lie in those errors against which this Association has been compelled to protest from year to year, and which many of us are bound to combat on all proper occasions. History furnishes us hundreds of illustrations of every evil to which a disordered currency gives rise. The decline of national and mercantile credit, the deterioration of public morals, the contempt for patient industry as compared with smartness, the increase of the class of "middle men," the love of meretricious display, are old and familiar features in every period of fictitious and inflated currency. The money people use educates them as much as all the pulpits, schools, and newspapers. Its influence is the more deep, because it is more insidious and unobserved. These are its moral and social effects, which to this Association must always be of the highest importance; but its financial effects are no less disastrous. It belongs to the operation of the system that there should be sudden, inexplicable crises, erratic developments, heats and chills in the financial history of the country. We can expect nothing but a series of them so long as the system lasts. Primarily it must press most severely on the innocent and helpless, but it promises no security to those who for a time profit by it most. A community in which one half preys upon the other, cannot prosper.

This brings me also to speak of one of the wider social aspects of this subject which demands especially the attention of our Association, and that is, its bearing upon the socialistic doctrines which have, during the last ten years, acquired more and more definite expression amongst us, and which I think every careful observer must believe to be gaining strength. Especially in a period of industrial stagnation, and at a time when the expansion of credit has drawn a great majority of the population into the debtor relation, such doctrines gain power. It is true that socialistic doctrines do not take on the same form here as in the nations of the European continent. Red republicanism cannot flourish in a republic. A distribution of property will not find supporters in a country where property is widely distributed. But it belongs to our science to recognize principles under

their various manifestations, which vary with time and place. A distribution of property is not a practicable thing. It has often been urged that if an equal distribution were made the equality would not remain for an hour; but it is impossible to conceive of any practical means by which an equal division could be accomplished.

There are only two means by which the distribution of property can be regulated otherwise than by the laws of value and exchange, and those are gift and robbery. Leaving gift aside as narrow in its range, personal in its operation, and unimportant in the scientific point of view, robbery is a form of transfer which it is the province of regulated society to reduce to a minimum. There remains only one form of it yet in legal operation in some civilized states, and that is legal-tender paper money. This is an engine by which the aims of socialism may be accomplished under the forms of law and to a more complete degree than by any other means yet devised. There seems great reason to fear that its power in this direction is becoming better appreciated, and that it may be advocated distinctly on account of its effect in this direction. The opposition of those who resist it on this account is often summarily disposed of as selfishness, the hard-heartedness of creditors, the "money power," the oppression of capital, etc., but it is a very much simpler thing than any of them. It is nothing but the vulgar disinclination of the man who has earned something to having it taken away from him. The student of political economy and social science takes a wider view of the matter and insists that such a policy must bring ruin on the community. If this policy prevails here it will arrest the industrial development of the country for a quarter of a century, as it is certain that the same policy adopted on this continent in the last century places us now far behind where we ought to be. If the people of this country divide upon this issue by classes, those who have against those who have not, it will precipitate a social war, and if they divide upon it by geographical divisions, it will bring results to the political system of the country which will be disastrous.

It is not necessary to assume that any such future lies before us. It is simply suggested here because it is only in view of the interests at stake that we can appreciate the task which weighs upon those in whose professional duty it lies to educate public opinion on these matters. There is a fund of good sense and right intention on which we can rely and to which we must appeal. If we once despair of this the future is hopeless enough.

It belongs also to this report to call the attention of the Association to the economic laws which underlie a great variety of other practical questions, and questions of detail which now occupy public attention, such as the custom-house moiety system, cheap transportation, and

revenue contracts. These are only symptoms of a diseased financial and industrial system; it is not to be expected that they will be recognized as such at once by popular opinion, and we must expect that time and labor and agitation will be spent in trying to cure the symptoms instead of searching out the causes of the disease and applying remedies to these.

All bad social regulations act and react upon each other and multiply each other's evil effects. The revenue system and the currency are thus intertwined. The system under which we have been living for twelve years, and which we have tested by applying it with logical and unflinching thoroughness, has developed its inevitable results. We have an artificial and unhealthy condition of all the great interests of the country, both in their special economy and in their relations to each other. We look in vain for that one, or that group, which has gained by the system. Each, when charged with gaining the benefits, is able to make out a case for itself by proving its distress. No doubt they all tell the truth. No one has gained. The system has issued in pure waste. It is much to be regretted that we have not the information which would have been obtained in regard to the actual circumstances of all this if the former careful and scientific investigations of the Commissioner of Internal Revenue had been kept up. It would seem, however, that even the most inveterate bigotry and prejudice must at last give way to experience and the clear teaching of facts. The notion that taxation is an engine of production, or that government can give what it does not take, has indeed the sanction of tradition — a sacred tradition, I may say, since few examine it, and any one who attacks it is met with denunciation and suspicion; but there is room to hope that the agitation produced at last amongst the chief victims may issue in a downfall of this tradition.

The argument that we have immense resources and facilities for every form of production, surpassing those of every other nation, and 3,000 miles' transportation in favor of home products, and, therefore, that we ought to pay more for everything — that is, it ought to cost us more labor to get everything — will ruin itself at last. The notion that it is the business of government to make artisans earn high wages — if it were true that the Government does this, which it does not — will be abandoned when the results of the socialism it nourishes come to be experienced. In the circumstances of this country, the agricultural interest is the one upon which any economic error must finally fall with a pressure increased by transmission through the other social divisions. It is not to be denied that the agricultural interest of the country is at the present time crushed by such a burden of the consequences of economic error. The bonus given to the creation of unnat-

ural and artificial forms of industry is taken from the natural and legitimate sources of our national wealth. It cannot be obtained anywhere else. It cannot be denied that cost of transportation is the chief form in which the effects of the protective system come home to the agriculturist. The West has been settled by men without capital, who have bought land on long credits, looking to the gains of coming years of industry to become owners instead of occupiers. A system of wasteful taxation comes in to rob them of the gains which their industry has fairly earned, to frustrate their hopes, and to snatch from their hands the object for which they have struggled. Their discontent has sufficient foundation, but its cure is to be sought in returning to correct the economic errors which are the cause. It cannot be cured by rushing on to still more reckless financiering, or by starting the General Government on a new career of taxation and debt for the purpose of building railroads and canals.

In the country at large, this system has educated people into some peculiar doctrines of political economy which do not lie in the protective system but flow legitimately from it. The most generally received notion in political economy now seems to be that the key to successful production consists in knowing how to limit it. The market is controlled by combinations of all the great interests, one of whose chief objects is to control and limit the production of the article this interest supplies. The old notion that it was the business of government to "make work" has been scourged to death; but we have now a new one, according to which it is not the object of men in production to make all they can and trouble themselves no further, but they live in fear and anxiety lest they create too much wealth. It is not strange that labor also has now taken up this notion and applied it to its own case. Instead of believing that a man ought to spend his time industriously, and that the more he works the more he will have, the labor market is distracted by efforts to lessen the hours of labor; that is, once more, to lessen production and earn without working. If any man can get all the good things he wants by working only eight hours a day, let him so limit his labor and be happy, — he ought to be, for he certainly is an exceptionally fortunate man.

Another fashion of looking at things, if I may so call it, seems to be born of the interference system. People speak of the existence of materials, or of the means of producing certain things in certain places, and infer at once that it must be profitable to produce that thing there. This applies at present especially to the South. There is the cotton and there is the water power. Why, it is asked, carry the cotton to the North, to the banks of the Merrimac, and then carry the product back again? and it is inferred that manufactures ought to be introduced into

the South. Likewise homilies are addressed to the South urging the production of food, in order to be independent of the West, and the exclusive production of rice, cotton, and tobacco is discouraged. But these doctrines do not touch at all upon the law which governs the choice of the form of production to be undertaken in any locality. The form of production pursued at any given place will be that one which at that place gives the best return to labor and capital, and if all the labor and capital in South Carolina can be applied to cotton without, by competition, reducing the profits below what the profits of the next most advantageous production there would be, then nothing but cotton will be produced there, and nothing else ought to be. Homilies to the contrary might as well be addressed to the wind. This law has led Bombay, for instance, to go into the culture of cotton so exclusively as to bring about two famines in six years, the communication with the rice districts being imperfect and uncertain. I have seen this quoted to prove their folly, and to show that they ought to have raised some food; but who should be the man to desist from the more profitable industry and raise food for the common good? Each man looks to his neighbor and no one does it. The only true inference is that they ought to have improved their means of communication; that is, they ought to have gone on in the path of industrial and commercial progress, not away from it.

I have thought it proper to call attention to these two false notions, wide-spread as they are, and arising, as I believe, directly and logically from the axioms of the pernicious interference system, because one bears on the labor question and the other on the state of the South, two great factors, as every one must admit, in the present financial and industrial status. Scarcely anything which a man or a body of men is called upon to do requires more balance of mind and intelligence than to perceive mistakes. Our misfortunes come from our mistakes. The war left behind it a heavy load of unsettled questions, difficult problems, and mistaken notions, and I must add, also, some disordered enthusiasms and deeply-rooted prejudices. We have got to deal with these now, with no passion, or pride, or enthusiasm, or common impulse of any kind to help us through. The protective system was taken up again after fifteen years' neglect, under the necessity for revenue, and applied blindly and ignorantly, so that it has crushed agriculture, destroyed shipping, crippled manufactures, restricted production, and lessened the accumulation of capital. It diminished the revenue during the war far below what the same sacrifices on the part of the public ought to have produced. It has grievously hindered our recuperation since, and it has produced political and mercantile scandals which make us blush for our national reputation. The Legal-tender Act was passed in a

moment of bewilderment and folly, and it has delivered us over to the miseries which always flow from an irredeemable currency, as well as to all the fallacies and delusions which such a currency always cultivates. If, then, calamity falls upon us, we cannot look for the causes elsewhere than in these mistakes, and it behooves us to set zealously to work to correct them. The task is a tiresome one for us who would gladly take social science as it stands to-day, taking the world over, and apply its principles to our circumstances and pursue investigations as to what yet remains to be learned; but here we are with this practical task before us, and the most useful work we can do is to demolish these foolish errors.

NOTE.—The debate preceding and following Prof. Sumner's Report, will be found in the report of the Proceedings at New York, pp. 23–28.

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THE EXEMPTION OF PRIVATE PROPERTY UPON THE SEA FROM CAPTURE.

A PAPER READ BY REV. DR. WOOLSEY, OF NEW HAVEN, CT., TUESDAY EVENING, MAY, 19, 1874.

THE old rules of war were based on two principles, *one of which was, That every individual of one of the conflicting parties was an enemy to every individual of the other*, and *the second, That it was right to use all ways of distressing the enemy in order to bring him to a sense of justice.* During the operation of these rules, the people of an invaded territory could be stripped of their property, and dragged into slavery, which indeed was chiefly nourished and kept up by this means. All property, public or private, which fell into the enemy's hands, was his by the right of capture. The right of conquest, also, destroyed political connections, aggrandized winning nations, and led to the construction of vast empires.

It may be said that the rose-water philanthropy of modern times would multiply wars by making them less of an evil. If people do wrong, and suffer for it, they will remember the lesson that suffering has taught. But these friends of the antique usage, —

> "The good old plan
> That they should get who have the power,
> And they should keep who can," —

forget several things. They forget that war was more frequent in the times when it was more rigorous in its rules, more unrelenting in its inflictions of evil on the innocent members of political societies. They do not take into account the stings which savage treatment, plunder, and conquest leave for ages in the mind of a humbled nation; nor do they estimate aright the motive of personal enrichment which led to or was suggested by the wars of old — how, for instance, the great Roman families and generals augmented their wealth by successful campaigns; and how an aristocracy of wealth was created by means of spoils in war, and by opportunities of office in the provinces, more than by all other means put together.

The old rules of war applied equally to operations on the land and on the sea. But for long ages marine warfare was of very secondary importance, and had no influence in modifying the rules of international conflicts.

In modern times, since the effects of a Christian civilization have become more decided, and intercourse between nations, growing closer, has increased a sense of brotherhood, the rules of warfare on land have become more humane. It is even possible now for an invading army to march across the territory of its foe without disturbing in his possessions or depriving of his liberty a single cultivator of the soil; and for the most part, although under the name of requisitions severe taxes are laid on unoffending subjects of a hostile power, all seizures of private goods, except for necessary purposes, are strictly prohibited. In the "Instructions for the Government of Armies of the United States in the Field," prepared by Dr. Lieber, and adopted in 1863, we read in article 63 that "the United States acknowledge and protect, in countries occupied by them, religion and morality, strictly private property, the persons of the inhabitants, especially those of women, and the sacredness of domestic relations. Offenses to the contrary," it is added, "shall be strictly punished." And again, in article 38, it is said that "private property, unless forfeited by crimes, or by offenses of the owner, can be seized only by way of military necessity for the support or other benefit of the army of the United States. If the owner has not fled, the commanding officer will cause receipts to be given, which may serve the spoliated owner to obtain indemnity."

Capture on the sea, however, did not feel the genial breath of humanity to a like extent. For this two reasons may be given; the first is, that in truth little harm to persons was done on the sea by the rigorous old-fashioned rules of war on this element; no families were broken up, no freemen reduced to slavery, nobody directly injured but able-bodied sailors, shippers, and merchants. Goods were taken, losses, it might be great in amount, were caused by capture, multitudes were cut off from their wonted comforts and luxuries; and by capture, as well as by increase of risk, prices of transported articles were raised. But it was necessary to distress the enemy, and gainful to offer an inducement to captors sufficient for stimulating regular cruisers to be industrious in their work, and for leading owners of private vessels to convert them into privateers.

We have come to a place where it may be well to say a word on the kinds of vessels employed in making captures during the earlier wars of modern Europe. The suzerain and the feudal lords along the coasts seem to have had originally few or no war vessels, and so a navy had to be extemporized for each new occasion. The ships collected for the expeditions of this period were chiefly intended for transport, as from England to Northern France, or from Venice and Genoa to the Holy Land. A merchant vessel could be used easily with slight alterations or additions for the purpose of boarding or of defense. One way of ob-

taining vessels was the process of impressment, the exercise of the *jus angariæ*, as it was called, a practice answering to the feudal usage of purveyance, by which any ship, domestic or foreign, was put in requisition for an expedition across the sea on promise of compensation for service rendered. Or the vessels might be owned and manned by private persons, but paid for by the suzerain. Or they might belong to the suzerain or state, with a crew and an outfit provided for by private persons. Or, again, private vessels were officered and sent to sea at the charges and risk of private persons under a commission from the Government. Or, finally, public vessels were sent to sea commanded by officers in the service of the state, and with a public crew. Only the two last, privateers and public armed vessels, remained until down to the middle of this century. But not only while the other methods of obtaining armed ships were in vogue, but since also, rewards have been held out to officers and crews for captures of enemies' vessels. Nothing else could have turned merchant ships into armed cruisers but this uncertain hope of a reward. It was gambling. The cruiser might not only fail of finding a foe on the sea or be repulsed, but might be destroyed by the enemy. Still it had the excitement of gambling, and it opened a new business to ships and sailors otherwise unemployed, so that the most mercantile nations would have the most privateers afloat.

The laws of nations, meanwhile, fluctuated as to what property should be liable to capture, and on what vessels. In general, however, we may say that the English rule, if it may be so called, prevailed — that free ships do not make free goods, or that enemies' goods on neutral ships are liable to capture, and that neutral goods on hostile ships are not liable to capture. The latter rule was of little practical importance, but the former was of vast importance. Accordingly nations which had small navies, and such as were generally neutral, strove to have "free ships, free goods" made a rule of international law. Our Government was for free ships *making goods free*, but our Supreme Court, and such men as Chancellor Kent, were for the opposite. And it must be confessed, I think, that if we take only justice into view, they were right. But however this may be, England sturdily opposed the rule of "free ships, free goods," and for long it had no international sanction.

THE RULES OF 1856.

Such was the state of things when in 1856 the parties to the Declaration of Paris agreed that privateering should be and remain abolished, and that enemy's goods on neutral vessels should not be liable to capture. These two rules, with the two others of less importance, because already generally admitted, that neutral goods on hostile ships are safe, and that there can be henceforth no paper blockades, brought changes

of the highest moment into international law. They were accepted, as a whole, by the signataries of the treaty, and offered to other states on the same condition. All the states of the civilized world have given their adhesion to the declaration in its entirety, but Spain, Mexico, and the United States. Three of the rules were just what the United States had always wished to have established. But Mr. Marcy, the Secretary of State, refused, on the part of the Government, its adhesion on account of the rule making privateering unlawful. It was our policy, he said, to keep on foot a small navy, and so we had need in war, if we would cope with superior naval powers, to improvise an addition to our means of attack and defense by calling in the aid of privateers. He, however, offered the consent of the Government to a rule exempting all private property and vessels employed in innocent trade from the operations of war, which offer was not accepted by Great Britain, and was not long afterward withdrawn.

Mr. Marcy's reasons for withdrawing the adhesion of the United States to the four rules appear to me to have been inconsistent with the former action of the United States, ill-advised, and frivolous. As early as 1785, the celebrated treaty with Prussia, carrying out the views of Dr. Franklin, put a stop to privateering between the parties as long as the provision with that object in view lasted. And not only Franklin, but our leading publicists, Kent and Wheaton, spoke in decisive terms against giving commissions to private vessels. By the rules we should have secured great carrying business in foreign wars, and the safety of our own goods in wars of our own. What was the advantage of privateers to us compared to the evils of this loss? Our vessels on the sea were likely to multiply perhaps tenfold in half a century. Losing the benefits of the rule, we exposed this increasing commerce to the depredations of the private armed cruisers of all who put their names to the declaration, for the obligations it contained were only reciprocal. Still further, to have adhered to the declaration would have been the best step to secure what our Government claimed to desire; for, practically, the liability of enemy's goods to capture, under the declaration, is very small; and so the objection could not have been great to the entire exemption from liability. But of this we mean to speak more at large. At present we add on this point that something would have been saved to us in the late war if the four rules had been adopted. We should have entered the war with such international obligations that the Southern Confederacy could hardly have ventured to make use of privateers against us. We made no use of them because we needed the good opinion of mankind. Thus, the reservation of this privilege, in view of some possible future conflict, seems to have been in motive not justified — in fact, unfortunate.

But the larger exemption from liability to capture, which Mr. Marcy proposed, is one very desirable in itself, and pretty sure, we think, to be carried into effect. That it is desirable, we shall endeavor to show by several considerations. First, it is clear that the only rule which needs to be added in order to attain to complete exemption is one of no great importance for the carrying on of war upon the sea. The rule now is, that enemy's ships and their goods on board of their ships are liable to capture. Formerly the belligerent right of capturing an enemy's goods was of great significance, because they could be taken on ships of any nationality, on neutral ships as well as their own. But now the exemption of an enemy's goods on neutral ships opens a way for safe transport of such goods, and takes away the chief motive for privateering, as well as for the anxious lookout of national vessels to secure prizes. If the Declaration of Paris had only settled the principle that free ships make free goods, without saying anything of privateers, things would have been very much as they are now, for the food of the privateers is, by the second rule, taken away. At the outbreak of every new war the belligerent will calculate what are the risks of his maritime commerce, and, if they are appreciable, will make a bargain with neutral merchants for the employment of their vessels, or will transfer by sale his own vessels to the neutral. In the first case, if the rate of freights demanded by neutral traders does not exceed, or slightly falls short of, the rate at home, including insurance for war risks, the neutral ships will come in like a shoal of fishes. In the other case there will be a transfer of the mercantile marine, greater or less, according to the probabilities of the length and the risks of war, to the neutral flag. This is known to have taken place very extensively in our late war.

In the three years before 1861 there were transferred to British capitalists 123 vessels, measuring 47,670 tons.

	Tonnage.
In 1861, 126 vessels of (in the aggregate)	71,673
" 1862, 135 vessels of (in the aggregate)	64,578
" 1863, 348 vessels of (in the aggregate)	252,579
" 1864, 100 vessels of (in the aggregate)	92,052

That is, in four years from the beginning of the war, until towards its close, 480,882 tons, contained in 715 vessels.

That considerable loss and suffering to individuals takes place during this process can easily be believed. But taking a country together, the evils are not so very great. There will always be some loss in the sales of vessels in such circumstances. The trade of ship-building, and others depending on it, will be crippled. But does not the evil stop here? The former ship-owner takes the proceeds of the sales and puts

them into some other form of productive industry. The war, indeed, may lower the average rate of profits, and so far as new capital comes into competition with old, there may be a further reduction; but, on the whole, those nations whose capital is not disproportionately invested in the shipping interest will not feel all this very much. It may be, indeed, that the evil of transferring vessels of commerce to another nation will have lasting effects, especially on the arts of ship-building. Of this an example will be drawn by some from what has befallen us in this respect during the years since the collapse of the Southern Confederacy. But if I may express an opinion, either the greater use of iron steamers, in the making of which we were not able under our tariff to compete with foreigners, or the general want of wisdom with which our system of duties was devised, or both, have been more potent causes of the prostration of our ship-building since the war than any change in the direction of the employment of capital, owing to the war, could be.

The bearing of what has been said is, that if it be important that belligerent rights of destruction should be retained in order to distress an enemy, and so to bring him the more speedily to a better, fairer mind, this right still existing of capturing enemies' vessels and their goods on them does not accomplish its purpose. For either it is brute thunder, because the belligerent employs neutral vessels instead of his own, or if it distresses a particular class, it does not materially affect the feelings or interests of any but exclusively commercial countries. What matters it to a farmer in Iowa if his wheat or pork is carried in British or Swedish bottoms rather than in those of the United States? If, indeed, the old rule were in force, that hostile property in neutral ships was fair prize, that would be a great matter to him. The risk of capture would, or at least might, affect prices so that it would be cheaper to carry similar products from Odessa or Dantzic than from New York; and thus, the foreign demand being cut off, his wheat would fall in value, and possibly fall for a time below cost. We conclude, then, that since the Declaration of Paris nations in general cannot be much affected by the transfer of shipping consequent upon a war, and will not be brought to a sense of justice by suffering, for the new rules have taken away the suffering. If you say that war ought to have its ravages, its losses, its deaths, then give up for the sake of justice and of international morality that rule which is the hinge of the declaration. Make hostile goods capturable in neutral vessels. Then must privateers be called again to their duty of aiding in this course of justice; and we shall have to confess that the Declaration, instead of being a triumph of humanity, was a mistake of a benevolent age against the interests of righteousness among the nations.

BENEFITS TO NEUTRALS OF PRESENT RULES AT SEA.

1. But it may be said that neutrals are benefited by the law of nations as it stands now, since they step in to take the carrying trade for both the belligerents. That there would be an increased activity in the ship-yards of England if any war should break out in the European or the Western World, is quite probable. But so there would be new activity called for somewhere by fires like those of Boston or Chicago, or by famines like that desolating one of late in India. Are we, however, prepared to say that the calamities of one country are on the whole a benefit to the rest of the world? If my money goes to the doctor for sickness in my family, are not the grocer and the mercer the worse for it? The most that can be said is that particular nations who have special branches of industry in their hands receive benefit, when their competitors, or would-be competitors, sustain injury. I cannot persuade myself that the world is made up of repellent atoms; it has a coherence which, with the growth of societies in intelligence, in morality, in skill and versatility of industry, is becoming greater and greater. Let those who would insulate industry, as in a Leyden jar, adopt and profess this view: *credat Judæus apella, non ego.* The interests of neutrals, however, may be contemplated from a wider point of view. To illustrate what I mean, take the case of England, where as many merchant ships are owned as in the rest of the world put together. If a war should break out anywhere, except in inland countries or such countries with a sea-coast as have next to no commerce, England, with her intelligence, her vast capital, her low rates of interest and profit, could take the belligerent's trade, that would otherwise be hazardous, with very little delay; and great profit might accrue for a while from this new employment for vessels. But suppose England herself at war with some other commercial country, as the United States, — which may God forbid, — she has, under existing rules, to raise her sea insurance, to employ, perhaps, neutral ships in her carrying trade. Having the greatest facilities for filling gaps when others are driven out of their wonted employment, she must have the greatest gaps to be filled by other nations, when her vessels are unsafe on the sea. It would seem, then, that unless there is some nation that will always remain neutral amid all the changes of the world, the evil and the good from the present rules of war on the sea would be about equally distributed. To this it may be added, that when exemption takes places, all the vessels of war of a belligerent may be employed in keeping coast-guard, in blockading, and thus the whole force of a navy be devoted to obstructing the commercial movements of the enemy at a most vulnerable point. A hundred vessels at sea scouring the coast for merchant ships

would not make war to be felt so much as fifty employed in guarding the approaches to harbors.

2. But another point demands attention, although it may be thought to be of minor importance. At present the enemy's ships can convey neutral goods, and if taken will be liable to capture, while the goods are free. The old rules as it regards ransom are still in force, as far as the laws of each particular state do not forbid their cruisers to make ransom contracts. In point of fact a number of important nations do forbid this, among which are Great Britain — except in extreme cases — Sweden, Denmark, Holland, Russia, and France, without a certain authorization and certain formalities. (Calvo, ii. 277.) The subject of ransom is simplified by the Rules of Paris in this way — that neutral vessels now can seek for ransom only when carrying contraband goods, or possibly when meaning to breaking blockade, in which cases it is certain that no ransom would be allowed. As for enemies' vessels, they are subject to capture, and can be ransomed just as before the Declaration, if the captor's government permits. But there is a frightful right growing out of the captor's not ransoming or not being permitted to ransom — that is, the right of burning. This license will be exercised, of course, the more freely, the more the authority to ransom is taken from the cruiser. It has its liabilities, indeed; for, if it should turn out that the capture was invalid, the captor and his government are responsible. But it would be a gain to the world if all vessels were free on the ocean in war, if only to get rid of this savage custom, allowed in our War of the Revolution, practiced by England and by France, and (on a vast scale compared with the sum total of their captures) by the Confederate cruisers in the late war. But what is more deserving of notice is, that now neutral property on enemies' vessels, being intact by a solemn law, can yet be burned if the captor sees fit. In other words, the third rule of the Declaration of Paris must be interpreted so as to mean that the neutral puts his goods on the enemy's vessel subject to the risk of being burned, if taken. The rule is that neutral goods, with the exception of contraband of war, are not liable to capture under an enemy's flag. They cannot be captured, but they can be burned. Thus the old proverb, "Out of the frying-pan into the fire," may be fulfilled on the sea as well as on the land.

Lest we should be thought to put our own interpretation on the rules of international law, we beg leave to refer to a recent case mentioned by M. Calvo in the second edition of his extensive and important work. Two German vessels, the *Ludwig* and the *Vorwärts*, were taken by the *Desaix*, in the late Franco-German war, and burned on the day of capture. It was decided by a prize court at Bordeaux that the capture and the burning were authorized, upon which the owners

of the ships, as well as the consignees and owners of the cargo, appealed to the Council of State for compensation for the property destroyed, and the persons interested in the cargo, as neutrals, based their claim on the third article of the Declaration just referred to. A commission supplying the place of the Council of State denied the right to compensation by a decision made the 16th of March, 1872, and gave the following reasons for their decree. We give them in an abridged form: 1. That from article 3 of the Declaration of 1856, it follows only that the neutral owner of goods on board an enemy's vessel has a right to the restitution of his goods, or, in case of sale, to payment of his price, but that it cannot be inferred that he can claim indemnity on account of injury caused to him by valid capture or by acts of war accompanying or following such capture. 2. The prizes were valid, and the destruction was caused by the commander of the captor, because the safety of his vessel, by reason of the number of prisoners on board, would not permit putting part of his crew on the prizes in order to take them into a French port. 3. Hence the destruction of the prizes was the continuation of a fact of war, the fitness of which the owners of the cargoes could not be allowed to discuss, and which could not give ground for a right of indemnity. M. Calvo remarks on this subject that it cannot be presumed that it was the understanding of the parties to the Declaration of Paris to subordinate the rights of belligerents to those of neutrals in all cases, even when the necessities of war require them to act otherwise; that the meaning of the article in question — that neutral goods under an enemy's flag are not "saisissable" or "confiscable" — does not imply that they are "inviolable," and also that, as the means used by the belligerent against his enemy, in consequence of which neutral property might be injured or destroyed, could not be foreseen, so there could have been no intention of opposing the incontestable rights of war. To which we may add that the usages of nations were not altered, but only made more definite by this third rule. So that whatever was allowable before in regard to the destruction of prizes must have continued to be allowable. Now, terrible as the destruction of an enemy's ship is, and beyond anything done on the land, where private property is concerned, the right to destroy is incontestable. The right to do the same to neutral vessels, under the old rules of capture, was much more doubtful, and to be justified only by the most urgent necessity, under responsibility for compensation, when the capturing officer had acted ill-advisedly.

To sum up all that we have to say on this point, if neutral property is thus exposed to destruction, although not to capture, it will the less make use of hostile vessels, or else complaints and ill-feelings will arise between the neutral and the belligerent who has sanctioned this proceeding.

3. We have seen that the present rules of marine capture, as compared with entire exemption of private property on the sea, inflict a little more harm on the belligerent, and give a positive but temporary advantage to neutrals with a large commercial marine. An important subject meets us at this point, namely, Will wars become more frequent and leave fainter traces on the memory of wrong-doing nations for becoming more humane upon the sea? What is it in the present and future which is going to keep down wars, to turn swords into ploughshares? Much has been said about rose-water philanthropy, and on the point that fighting must be in earnest when it goes on. If two nations can fight one another while they have their ships afloat and bearing every luxury or necessity to and from the ends of the earth, war may become chronic, it can be said; it will be a series of professional struggles, boxing-matches between injurers and the injured. That is not the kind of game that is going to sober and purify nations.

But what shall we do? The rose-water dispensation is upon us. Exemption of all innocent property on the sea is as a drop in the bucket compared with the abolition of privateering and the exemption of hostile property on neutral vessels from capture. The abolition of those rules would indeed change the face of marine warfare. I do not suppose that the other exemption would make one war more or less, although it would be a serious good, worth contending for. The war-in-earnest people ought to go in at once for the old order of things *in toto*. If they cannot reverse the movement of modern society, why attempt to oppose something which is a mere corollary of the great problem?

But will wars become more frequent owing to the new rules of marine warfare, or more bloody, or more protracted? We say in reply to this question that, although at present the rules of war are more humane on the land than on the sea, the pinch and stress of war are generally on the land. This was true of our civil war, of the Franco-German, of that of Austria with Prussia, of that by which Northern Italy was severed from Austria, all of which have occurred since 1856. As a general thing this must be so, if you except one or two almost exclusively commercial nations. Nor are wars more bloody than before that epoch, although within a given period of time they may be attended with more slaughter. Still less is it true that they are more protracted. On the contrary, most of the recent wars are distinguished by the marvelous celerity with which the trade of death is carried on —a thing which we cannot help wondering at, although the causes are clear, such as the power of rapid movement produced by the railroad system and the efficiency of the new weapons of war. And on the whole this rapidity is a gain for the world.

HARSHER RULES OF WAR DID NOT PUT A STOP TO WAR.

It is here important to repeat that in times past the old, less humane rules of war did not render wars more infrequent. In time to come, then, if we should fall back into the severer rules, we could not hope much from that cause for a reign of lasting peace. The same causes which gave rise to the four rules of the Declaration and to other peaceful and international reforms of modern times, will act to do away with wars also. What are these causes? We mention two or three of them: —

1. Neutral power, in any given war, is now far greater and increasingly greater than belligerent power. There was hardly any such thing as neutral power in the ancient world, little of it in the mediæval; but now the case is widely different. Neutral interests, being more important, whether we measure them by amount of capital, of intelligence, of influence, or other causes in the world, must more and more control public thought and feeling. But neutral power is for the most part in favor of peace.

2. The voice of political societies is coming to have more control, as compared with the will of rulers, or of a dominant class. Wars hitherto have been undertaken for some political reason which the people felt but little inclined to justify. Aggrandizement of a house, an insult to a ruler or his representative, the desire of military officers for an active life in their profession, some interest or feeling of an upper class or prince, — causes such as these the people had no concern with, while it was theirs to be taxed and to die. Only seldom have strong national antipathies in which whole communities joined given rise to war. But now, with the advance of political freedom and intelligence, they who suffer from wars are beginning to have, if not political power, at least some sway over opinion. Capital and labor are generally peaceful. Sometimes the people shrink from political measures with a wiser and more disinterested spirit, which their Governments do not possess. There can be no doubt that, if Lancashire had been for recognition and forcible opening of the Southern ports, the Government would have gone forward in measures most opposed to our cause. We owe these suffering men a debt of gratitude.

3. The large scale and great condensation within a short time of later wars make immense outlays all at once necessary. The intelligent nations cannot be expected to bear this.

4. If war was the only recourse, the nations might patiently endure the storm. But the eyes of men are opening to the peaceful prospect of arbitration. Neutrals will feel that they have a right to be heard in questions affecting their interests most deeply. The Christian

nations at least must come to feel that war is not the same thing in our modern society, all intertwined and woven together, as it is, that it was in the old atomic condition of the world. Now a war carries apprehension and loss through all the centres of capital. Why should not those who suffer have some voice?

On the whole, then, we see that the neutral interests in modern society really lay at the foundation of the four rules, that these same interests are, upon the whole, on the side of the less important exemption which we advocate, and that they must instinctively move forward to endeavor to put an end to all war. I say nothing of human and Christian feelings, which will vote on the side of neutral interests.

It only remains, according to my plan, to speak for a moment of efforts made in the way of diplomacy and of the opinions which have been expressed in favor of the exemption of all innocent property on the sea from capture. When in 1856 Mr. Marcy made his answer to the invitations given to our Government to adhere to the Declaration of Paris, it is said that the wider exemption of which we speak "was favorably received by France, Russia, and other maritime powers, but met with no encouragement from Great Britain." It was even said, as we learn from Mr. Cobden's writings, by a member of the British Cabinet, that a stipulation to this effect would not be respected in time of war, to which a fair answer would be that the same objection would lie against every inconvenient treaty, and especially the existing four rules, and that prize courts ought to respect and would respect an international rule like this, whatever attitude their Government might take. After the accession of Mr. Buchanan to office, an additional change was proposed in the actual usages of nations. It was, that, blockade should hereafter be abolished as far as all lawful commerce was concerned, vessels with contraband goods on board and government vessels only being subject to its operations. Owing to this new suggestion which the Government embraced, the minister at London was instructed in 1857 to suspend the negotiations which Mr. Marcy had initiated. But in 1859 Mr. Cass, then Secretary of State, made a modification in the proposition to reform the usages of marine warfare. The plan now, as suggested by our Government, was to restrict blockades to cases where "a land army was besieging a fortified place, and a fleet was employed to blockade it on the other side." Blockades of strictly commercial ports and interruption of trade by blockade were to be prohibited. The British Government refused to enter into this proposition, when it was made to them, for the reason that the "system of commercial blockades was essential to British naval supremacy."

In the early part of the war Mr. Seward offered, on the part of the

United States, to accede to the Declarations of Paris; but as it was intended by him to bind the Southern Confederacy as well as the loyal States, France and England refused to accept of the accession on such a condition.

In the war of 1866 between Prussia and Austria, the latter power made the following proclamation in regard to enemies' property on the sea (May 13): "Vessels and their cargoes cannot, owing to the bare fact that they belong to a country with which Austria is at war, be captured on the sea by Austrian vessels, nor be declared to be lawful prize by Austrian prize courts. This is on condition that the enemy observe strict reciprocity." A Prussian ordinance of May 19, 1866, accepted of these advances, on the same rule of reciprocity, and in July of the same year Italy followed the example of the two northern kingdoms. This step on the part of Italy was, as I understand it, expressed in the code of commerce for the sea framed in the new kingdom, of which the article relating to this subject runs as follows: "The seizure and capture by ships-of-war of the merchant vessels of an enemy are abolished, on condition of reciprocity, in favor of those powers which shall promise similar treatment in favor of Italian merchant vessels. This reciprocity of treatment shall depend either on the internal laws of a country, or on diplomatic conventions, or on express declarations made by the enemy before the opening of hostilities." Austria then first introduced this principle into the usages of war, and Italy first made it a general rule, conditioned on reciprocity, for the future.

Two years afterward, April 18, 1868, the North German Parliament unanimously passed a resolution authorizing the Government to secure, by diplomatic measures, as a principle of general international law, the rule of the inviolability of private property on the sea. The motion for such a law was made by Dr. Aegidi, a well-known publicist, and Professor at Bonn, and was ably supported by MM. Lesse, of Dantzig, and Schleiden. Aegidi, taking into view the unwillingness of the United States to accept the Declaration of Paris, and that Great Britain was not ready to agree that private property on the ocean should be inviolable, said that it was to be feared, in case of a war between these powers, that retrograde principles as to capture on the sea would get the better, and that neutral rights guarantied by the Treaty of Paris would anew be exposed to peril. It has been stated that in conformity with this vote the minister of the Confederation had been instructed to enter into negotiations with the United States on this subject, but it is not known that they came to any practical result.

In the same year, 1868, in which the German Parliament passed

these resolutions, the subject of them was agitated elsewhere. In England the subject came up before the section of International Law in the Social Science Association, which met at Birmingham, and over which Mr. W. Vernon Harcourt presided. Three gentlemen submitted papers in favor of the immunity of private property on the sea during war; but in Lord Hobart's paper there is this qualifying opinion: "The result of the inquiry is that private property ought, as a rule, to be exempt during the war from capture at sea, and that if there is to be any exception to this rule, it is in the case of the merchant ships and crews, as distinct from the merchandise of belligerent States." A most unmeaning remark, unless it were intended to oppose the immunity in question, because if merchant ships and crews were to be exempt, usage would continue as it does now, belligerent vessels would give place during war to neutral ones, as merchandise would then be safe. Mr. Vernon Harcourt took the other side, and afterward addressed a letter to the "Times," still further explaining his views in reply to some remarks which our minister, Mr. Reverdy Johnson, had made upon his opinion expressed at Manchester. The main point in this letter is the inquiry whether the abrogation of the present rule will tend to diminish or increase the evils of war. This he decides strongly in the negative, of course not on historical grounds, for there is as yet no experience, but on grounds of common sense. It is not true that merchants are an innocent class, and therefore ought to be unaffected in their trade by war. "Mr. Bright and Mr. Cobden," he says, "on occasion of the Chinese war, had some experience of the feeling which prevails when the interests of trade are favorable rather than adverse to war. The merchant belonging to a responsible class is far more responsible for war than soldiers or sailors. If merchants were against a war, in England, at least, no war could be made. Again, he says that it is said on all sides that private property on the sea ought to be free from capture because the same property on the land is free. To this he makes the very sufficient answer that property on the land is not free from liability to be taken without compensation, or destroyed, and that these are sufficient reasons to distinguish between the treatment of the two kinds of property.

This is not the place to reiterate what has been said on the opposite side. War in general is against the interests of merchants, and cuts off their resources to help their country. If a war is popular with this class of persons, because a brisk trade arises in articles contraband of war, the demoralizing influence of such a commerce — not to speak of its risks — ought to be taken into account by upright governments. If it is popular with them because great principles are at stake, they share this feeling with the rest of the political society.

Mr. Vernon Harcourt quotes Mr. Horsfall as saying in Parliament that this question is of paramount importance to England, for the reason, as the context of his words seems to show, that she has a powerful navy and a vast mercantile marine. But suppose England at war with the United States, where privateering is still allowable. Of course England could send out privateers also in such a case as this. But let the trade of the United States be carried on in German and French vessels, the Declaration of Paris would prevent British vessels from touching such vessels, while the privateers of this country could scour the ocean against British commerce. Or if England also should withdraw her trading vessels, what great good then would a large fleet of vessels of war do on the ocean?

But to return to the measures of governments relating to the subject before us. At the beginning of the Franco-German war of 1870, propositions emanated from both nationalities similar to those of Austria in 1866. M. Garnier-Pagès, in the first days of July, "demanded urgency," as the French phrase in legislative proceedings is, that is, called for the immediate consideration of a motion containing, among other humane provisions, this one: "That capture and prize by public ships of enemies' commercial vessels, belonging to nations which, before declaration of war, shall have accepted or shall accept reciprocity," should be abolished. The immediate consideration was granted, but, says M. Calvo (vol. ii. sec. 953, p. 268), the rapid and unexpected march of events prevented the proposition from being followed out. The King of Prussia, on the other hand, made an ordinance, dated July 18, 1870, declaring that French commercial vessels should not be subject to be captured and seized by the Federal fleet, excepting such ones as would be liable to capture under a neutral flag.

During the Franco-German war, shipments were made of materials for war from Great Britain, and it will be recollected how a large number of guns sold by our government, as well as other implements of war, were sent to France from the United States. As far as the exportations from this country were concerned, they were in a certain sense legalized by an article of the Treaty of 1785, between the United States and Prussia, which article, after its expiration, was revived in 1799, and again in 1828. The article with the rest of the treaty could have ceased to have effect in 1840, and afterward on twelve months' notice, but was still in force. It stipulated that when either of the contracting parties was at war with a third power, and the citizens or subjects of the other being neutral, should convey goods called contraband to the enemy, such goods, if intercepted by the vessels of the other party, should not be liable to confiscation or condemnation, and be a loss of property to individuals. The goods might be detained on pay-

ment of the loss growing out of the detention, or the other party might appropriate them, paying, according to the practice called preemption, a reasonable price therefor. A most falsely humane provision to support a villainous trade. The English had no such treaty with Prussia, and the latter claimed that export of contraband of war ought to be prevented by the neutral within his own jurisdiction. Against the United States no complaint could be made. It was this experience, as is said by M. Kusserow, of Berlin, in a very recent article of the Review for International Law, published at Ghent, that rendered Prince Bismarck indisposed to enter into treaties touching the inviolability of private property on the sea, unless responsibility of neutrals for export of contraband should be joined to it. This the English could not agree to, as it would make a great addition to their police and detective forces necessary. But the demand seems to the writer of this paper a most just one, and he may be permitted to say that it is one which, on various occasions since 1860, he has advocated.

In 1871 a commercial treaty between the United States and the kingdom of Italy was made, which carried out this principle of exemption of private property on the high seas from capture in the following terms (article 12): —

"The high contracting parties agree that in the unfortunate event of a war between them, the private property of their respective citizens and subjects with the exception of contraband of war, shall be exempt from capture or seizure, on the high seas or elsewhere, by the armed vessels or by the military forces of either party, it being understood that this exemption shall not extend to vessels and their cargoes which may attempt to enter a port blockaded by the naval forces of either party."

This treaty, which was to continue in force five years at least, and not to be terminated thereafter without twelve months' notice, is peculiar in this respect, that it abandons the principle of "continuous voyages," which our courts applied in the late war; for it is actual attempt and not ultimate purpose to enter a blockaded port that is made one of the exceptions to the exemptions conceded by the parties.

Thus it has appeared that at different times the United States, Austria, the North German Confederation, Italy, France, have in a direct way expressed the desire that private property on the sea should be inviolable unless engaged in unlawful traffic. Russia and the Netherlands are understood to be favorable to the introduction of this principle into the law of nations. Only Great Britain has regarded the rule as undesirable.

The Chambers of Commerce of Hamburg and of Bremen have passed resolutions declaring such exemption to be desirable. At the instigation

of the Chamber of Bremen, Professor Aegidi, already mentioned, and M. Klanhold published a work in 1867, entitled "Frei Shiff Unter Feindes Flagge," which is a collection of the documents relating to the attempts to improve Maritime Law since 1856. In the same year also Prof. Ercole Vidari, Professor of Commercial Law at Padua, published there a work entitled, "Del Rispetto della Proprieta Privata Fra Gli Stati in Guerra," which has been translated into French. M. Cauchy's work entitled "Respect de la Proprieté Privaté dans la Guerre Maritime," in which he advocates the same exemption, appeared at Paris in 1866. He had already presented a memoir on the same subject to the Academy of Moral and Political Sciences. In his work on international maritime law crowned by the same Academy in 1862, M. Cauchy thus expresses himself: "Commercial liberty on the sea will have passed through the same phases with the civil liberty of nations. It will have been at first relative, and limited to the recognition of the rights of neutrals. Then it will become, we hope, complete and absolute for the commerce of the belligerents themselves, on condition that commerce will be neutral, confining itself to the transportation of innocent articles alone." Dr. Ludwig Gessner, a German, writing in French in the same strain, while admitting the difficulty which this exemption must encounter in gaining the maritime powers over to its side, expresses the hope that it will ultimately triumph, and adds that "it has its source in the perfectly just principle that ever ought to be carried on between states only, and that it is favored by great mercantile interests." M. Calvo, in his treatise on the law of nations (ed. 2, 1870–1872, ii. 261), one of the most extensive and the best of modern times, says that "the inviolability of private property, if not susceptible of an immediate and universal application, at all events constitutes an immovable principle, to which the progress of modern ideas is giving an impulse, and the adoption of which by international law we may henceforth affirm (*Proclamer*)." And if the author of this paper may be permitted to quote from himself as long ago as 1860, when the first edition of his "Introduction to the Study of International Law" was published, he used the following language (p. 320): "We must profess that we indulge the 'pious chimera,' as it has been called, that all private property on the seas engaged in a lawful trade to permitted ports ought to cross the seas in safety. We have the sanction of Franklin and of sober propositions made by our Government for regarding such a rule as both desirable and practicable; we must esteem it nearer to justice, and certainly to humanity, than the present inequality of risk on the two elements."

We conclude our paper with a brief notice of the opinions of a great British statesman, whose voice was ever raised in favor of freedom of

commerce, free transmission of property, the elevation of the laboring classes, the deliverance of the slave from his yoke, and who has had more to do in shaping the commercial policy of England than any other man of our times. We refer, of course, to Mr. Cobden. He desired, as he says in his letter to H. Ashworth, to see three grand reforms carried out: —

1. The exemption of all private property from capture.

2. The restriction of blockades "to naval arsenals and to towns besieged at the same time on land, with the exception of articles contraband of war." By this last clause he must mean that blockading ships ought, in his judgment, to examine merchant vessels at the mouth of the harbors besieged on land and by sea. In other words, as commercial ports not besieged on the land are not to be blockaded at sea, the trade in contraband of war is to be less watched than now.

3. Merchant vessels of neutrals on the high seas to be exempt from "visitation of alien government vessels in time of war as well as in time of peace."

It is added by Prof. Thorold Rogers, in his "Cobden and Political Opinions" (1873, page 144), as a fact "pretty generally known," that after the proposals made by Mr. Cass, in 1859, Lord Palmerston was not indisposed to renew negotiations on the subject, and that there was actually some progress made toward fulfilling the suggestions of Cobden and the original propositions of the American Government. And he attributes the dropping of the subject to the changes on this side of the water.

We hold the humanity, the regard for the interests of the working classes, the peace policy, and the free trade principles of Mr. Cobden, in the highest respect, but we cannot help feeling that he takes away too much power from belligerents. His views are dictated by regard for several interests, such as political economy interprets them to be, and not by a feeling of justice. Why should he wish to have it made internationally unlawful to blockade a place by sea which is not also blockaded by land, or to blockade only naval arsenals? Is it not wrong in itself to supply contraband of war? But he would make the trade in contraband practically free. I am unable to see any justice, morality, or humanity in such a policy. The necessity of prohibiting contraband effectually before it leaves the neutral's ports is shown by late history too evidently to be doubted. The necessity, also, of strict blockade is equally apparent. The notion, into which our Government once fell, that ports not invested by land as well as by sea ought to be free of entrance to vessels, seems to be so absurd and to be made so by the light of recent history that it will probably be never repeated. The restric-

tion of blockades to naval arsenals and to such places as are besieged on land, also is at once met by the decisive objection that in these days of railroads the free entrance of contraband goods and their easy conveyance on the land from place to place would render the operations of war ineffectual. The naval arsenal would be soon supplied with munitions of war landed hundreds of miles away.

CONFERENCE OF BOARDS OF PUBLIC HEALTH,

HELD AT NEW YORK, MAY 21 AND 22, 1874.

INTRODUCTION.

THE importance of collecting and distributing information upon Sanitary topics early impressed itself on the American Social Science Association, and led to the organization of a Department Committee by which much useful work has been done. During the present year the American Public Health Association having become fully organized, our own Association came into communication with it, and with the cordial coöperation of its Secretary, DR. HARRIS, a Conference of State and City Boards of Health was invited in connection with the General Meeting in May. From information then communicated by DR. HARRIS and from the correspondence of the Secretary of the American Social Science Association, the following facts have been obtained in regard to Boards of Health in States and Cities throughout the United States. The information given is incomplete, and perhaps in some respects inexact, but it is deemed best to publish it here, in the hope of completing and correcting it.

There are now eight States that have established either a central Board of Health for the whole State, or a Sanitary Commission, charged with the preliminary work of such a Board. These are, in the order of the establishment of these Boards, Massachusetts, Louisiana, California, Minnesota, Virginia, Michigan, Maryland, and New Jersey. Concerning the first named five, DR. HARRIS says, —

The experience and example of the central Board of Health in each of the five States that first organized such a State Board, may now serve as useful guides to the successful organization of a State Board of Health, in each State that will seek to establish a General Sanitary System. Each State may require to have various and essential modifications of any framework of a General Sanitary Act that might be perfectly adapted to another commonwealth. The State law on this subject in Minnesota would not be completely adapted to the necessities or to certain existing statutes and necessary usages in New York, or in Massachusetts, nor would the Massachusetts law answer for Minnesota, Michigan, Virginia, and California. It will be seen, upon examination of the annexed outline of the special Acts under which each of the five

State Boards has respectively been established, that the friends of sanitary improvement in each State, will manifestly need carefully to forecast the amount of general and intelligent coöperation which the people will put forth in the duties of sanitary administration. The law itself may and always should be an educator, but the laws and ordinances that are successful as educators must be so framed and administered as to elicit popular and exact inquiries and increase the general knowledge and appreciation of the objects for which such laws exist.

The vital importance of local sanitary authority is already exemplified in every State of the Union: and the fact must be conceded, that the faithfulness, efficiency, and permanency of good influence of the local Boards of Health in the rural districts, as well as in most larger towns, cannot be thoroughly secured without the central influence and certain kinds of authority of the State Board. Thus far each one of the State Boards has succeeded in awakening in the communities of the State an increased regard for the right and duty of every district, town, and neighborhood, to invoke the continued aids of law and instruction, to protect the interests of life and health.

A CONCISE DIGEST AND COMPARISON OF THE LEADING FEATURES OF THE SPECIAL ACTS BY WHICH THE STATE BOARDS OF HEALTH HAVE BEEN ESTABLISHED IN SIX STATES OF THE UNION.

MASSACHUSETTS STATE BOARD OF HEALTH.

[By Act passed in June, 1869.]

"Seven persons shall constitute the Board of Health and Vital Statistics," appointed by the Governor, "with advice and consent of the Council," and hold office for seven years, one appointment or reappointment being made every year. "Sanitary investigations and inquiries in respect to the people, the causes of disease, and especially of epidemics," constitute the chief duty of the Board. It also advises the government in regard to the location of public buildings. The Secretary is the executive and only salaried member of the Board.

BOARD OF HEALTH OF LOUISIANA.

There are nine members of the Board, a majority of whom are appointed by the Governor, and a minority by the Municipal Council of New Orleans. This Board has full authority over all matters relating to "Quarantine for the protection of the State." It also has charge of the sanitary police and health government of New Orleans. The powers of this Board are inadequate to the peculiar exigencies that are associated with the nature of yellow fever epidemics. But the chief deficit in the State sanitary powers of Louisiana, is that they do not require the establishment of local health boards in all the parishes of the State. The Louisiana State Board of Health has not been commissioned or empowered to enter upon hygienic inquiries or the general duties which characterize the Massachusetts Board of Health.

STATE BOARD OF HEALTH OF CALIFORNIA.

This Board was organized in 1870. It consists of seven physicians, who hold office for four years. Their appointment is vested in the Governor alone. The functions of this Board are defined in the same concise and ge nera

phraseology, as are those of the Massachusetts Board of Health, and by the Act its members were instructed to devise and report "some scheme whereby medical and vital statistics of sanitary value may be obtained."

STATE BOARD OF HEALTH OF MINNESOTA.

This Board was organized in the spring of 1872. It consists of seven physicians, who hold office four years, under appointment from the Governor. The members of the State Board are required to "place themselves in communication with local boards of health, the hospitals, asylums, and public institutions throughout the State," and "take cognizance of the interests of health and life among the citizens generally." To these duties are added all the functions which Massachusetts, Louisiana, and California have respectively assigned their State Boards of Health. A supplementary Act has enjoined upon every town and city in the State, the duty of establishing a local board of health; and the State Board is authorized to enforce this duty, and required to advise and aid the local board. The Secretary of State, who has general charge of vital statistics, under an old law, is required to seek the counsel and aid of the State Board of Health in the Bureau of Vital Registration.

STATE BOARD OF HEALTH OF VIRGINIA.

Organized in the spring of 1872, and consisting of seven members, all of whom must be physicians, three being residents of the city of Richmond, and four from different sections of the State, this "Board of Health and Vital Statistics" was set at work, with the strict injunction that it "shall not in any way be a charge upon the State." Its functions are precisely like those of the State Board of California.

STATE BOARD OF HEALTH OF MICHIGAN.

This Board was organized in 1873. The phraseology of the Act to erect the Board and define its functions, is here quoted. It needs to be mentioned that other laws in Michigan provide for local boards of health and establish a system of Vital Statistics.

SECTION 1. *The People of the State of Michigan enact*, That a board is hereby established which shall be known under the name and style of the "State Board of Health." It shall consist of seven members as follows: Six members who shall be appointed by the Governor with the consent of the Senate, and a secretary, as provided in section four of this act. The six members first appointed shall be so designated by the Governor that the term of office of two shall expire every two years, on the last day of January. Hereafter, the Governor, with the consent of the Senate, shall biennially appoint two members to hold their offices for six years, ending January thirty-first. Any vacancy in said Board may be filled, until the next regular session of the Legislature, by the Governor.

SECT. 2. The State Board of Health shall have the general supervision of the interests of health and life of the citizens of this State. They shall especially study the vital statistics of this State, and endeavor to make intelligent and profitable use of the collected records of deaths and of sickness

among the people; they shall make sanitary investigations and inquiries respecting the causes of disease, and especially of epidemics; the causes of mortality, and the effects of localities, employments, conditions, ingesta, habits and circumstances on the health of the people. They shall, when required, or when they deem it best, advise officers of the government, or other State boards, in regard to the location, drainage, water supply, disposal of excreta, heating, and ventilation of any public institution or building. They shall from time to time recommend standard works on the subject of hygiene for the use of the schools of the State.

SECT. 3. The Board shall meet quarterly at Lansing, and at such other places and times as they may deem expedient. A majority shall be a quorum for the transaction of business. They shall choose one of their number to be their president, and may adopt rules and by-laws subject to the provisions of this act. They shall have authority to send their secretary, or a committee of the Board to any part of the State, when deemed necessary to investigate the cause of any special or unusual disease or mortality.

. . . . . .

Sections 4 and 5 provide for the election and services of a Secretary, and specify his functions under the Board.

Sections 6 and 7 relate to expenditures.

SECT. 8. It shall be the duty of the health physician, and also of the clerk of the local board of health in each township, city, and village in this State, at least once in each year, to report to the State Board of Health their proceedings, and such other facts required, on blanks and in accordance with instructions received from said State Board. They shall also make special reports whenever required to do so by the State Board of Health.

SECT. 9. In order to afford to this Board better advantages for obtaining knowledge important to be incorporated with that collected through special investigations and from other sources, it shall be the duty of all officers of the State, the physicians of all mining or other incorporated companies, and the president or agent of any company chartered, organized, or transacting business under the laws of this State, so far as practicable, to furnish to the State Board of Health any information bearing upon public health which may be requested by said Board for the purpose of enabling it better to perform its duties of collecting and distributing useful knowledge on this subject.

SECT. 10. The Secretary of the State Board of Health shall be the superintendent of vital statistics. Under the general direction of the Secretary of State, he shall collect these statistics, and prepare and publish the report required by law relating to births, marriages, and deaths.

. . . . . .

In regard to the respective powers of State and of local Boards, DR. HARRIS says, —

The local Boards of Health should have authority to inspect all school rooms, and to advise with the Boards of Education concerning matters affecting life and health. The State and local Boards of Health should be required by law to make a faithful sanitary inspection and inquiry in every Hospital, Medical Dispensary, Asylum, Reformatory and Penal institution every year, and

as much oftener as circumstances may warrant; and such inspections and duties should be carefully supervised in some degree by the State Board of Health aided by counsel or information given by the State Board of Public Charities. A chapter in each yearly Report of the Health Boards, — State and local, — should comprise a careful statement of results, etc., in this class of duties. The usefulness, dignity, or permanent influence and success of the local sanitary authority will be promoted if the State authority and aid can be extended to the local officers, when proper, in matters of local inspection and inquiry upon subjects of general as well as local interest. The purpose and duty of harmonious cooperation between the State and local Boards should be obvious to the people. By such influences may the people be kept interested in the sanitary duties that pertain to their own localities and affairs. The centralization of authority relating to the administration of sanitary laws may become desirable at some future time, but it would be impolitic and contrary to the well known preferences of the people and the usages of civil government in the primary areas of political or civil organization, to control the administration of Health Laws so as to fail to incite and even require the inhabitants to maintain and obey local authority.

In addition to what is stated above, it may be said that the reports of these State Boards are all annual except that from California, which is made biennially, and that from Michigan, which may become biennial. The Michigan Board made its first report in the present year, and all the State Boards have issued reports in 1874, except that of Maryland, which will report first in 1875. The Massachusetts Report (the fifth annual volume) this year contains almost as many pages as those from the other six States put together. Its pages this year number 566; while California prints less than 240 pages; Louisiana, 208; Virginia, 15 pages; Minnesota, 98; and Michigan, 101. In Michigan however, there are special reports and collections of statistics edited by members of the Board. The Board of Health of Virginia, established in 1872, has made two brief reports. Minnesota established its Board of Health about a month after Virginia had done so; and there, also, we find two annual reports. Louisiana had a kind of State Board of Health in 1866, and perhaps earlier, which was reorganized in 1870; and Maryland has just created one, which was organized on the 4th of May, 1874. California created such a Board in 1870; and it has made two biennial reports. New Jersey has not yet established a Board of Health, but last winter organized a preliminary "Sanitary Commission," which will probably result in a permanent Health Board.

The names of the members of State Boards of Health will be found under each State in the following Abstract, which is compiled from letters sent by the Secretaries of each State in reply to questions asked of them in December, 1873, by the Social Science Association. Those States have been placed first on the list which have either a good sys-

tem of registration or a State Board of Health, or both. It is believed that Massachusetts takes precedence of all the States in its system of Registration, which has been in force for more than thirty years.

PUBLIC HEALTH AND VITAL STATISTICS.

Abstract of Answers from all the States of the Union.

MASSACHUSETTS.

It is now thirty-two years since the new Registration System of Massachusetts was established by law, — the Act for that purpose having been approved March 3, 1842. But although this Act for the first time required returns to be made to the Secretary of the Commonwealth of all Births, Deaths, and Marriages, yet laws in force for centuries had required a record of such events to be kept in the towns and cities. An Act was passed, as early as 1639, ordering "that the days of every marriage, birth, and death of every person within the jurisdiction of Massachusetts," should be recorded. By subsequent Acts, passed between that time and 1657, "parents, masters, guardians, executors, and administrators" were required to deliver to the town clerk the names of such persons belonging to them as had been born or died. Every "new married man" was likewise required to deliver the certificate of his marriage to the town clerk to be recorded. And the town clerk was obliged to make a copy of these records, quarterly or annually, and transmit it to the clerk of the County Court in which the town was situated, to be by him recorded. Fees were allowed each town clerk, paid by the person obtaining the record, for recording every birth, marriage, or death, and penalties were imposed on him and others for neglect. Similar laws were passed about the same time in Plymouth Colony. They were reënacted under the charter of 1692, and continued in force until the Revolution, excepting the provision requiring returns to be made to the County Courts, which was omitted. In 1785 and 1795 the laws on the subject were revised, and Acts were passed, which, being incorporated in the Revised Statutes of 1836, continued nominally in force until the Act of 1842 took effect.

The Act of 1842 was greatly improved by the Act of March 16, 1844, which was again modified by the Act of May 2, 1849. At the general revision of the Statutes in 1859–60, further improvements were made in the Registration Laws, which now remain substantially as they stand in the General Statutes of 1860. The returns from the cities and towns are made to the Secretary of the Commonwealth, by whom they are compiled and published. For some years they have been edited by the late Secretary of the State Board of Health, Dr. George Derby.

The State Board of Health was organized in 1869. Its present members are H. I. Bowditch, M. D., of Boston, *Chairman*; J. C. Hoadley, of Lawrence; David L. Webster, of Boston; Richard Frothingham, of Boston; R. T. Davis, M. D., of Fall River; T. B. Newhall, of Lynn; Charles F. Folsom, M. D., of Boston, *Secretary*.

There are boards of health in most of the twenty cities of Massachusetts,

but very few of these except that of Boston are efficiently organized under the direction of medical men, and their reports are of little value. The Health Department of Boston was reorganized in 1873, and now consists of three members armed with ample powers, which have been vigorously exercised of late.

CALIFORNIA.

No registration is required by law, and no returns or reports are made, except by the State Board of Health established in 1870. There are no city boards of health. The members of the State Board are. Henry Gibbons, Sr., M. D., *President*, San Francisco; L. C. Lane, M. D, San Francisco; F. W. Todd, M. D., Stockton; A. B. Stout, M. D., San Francisco; Luke Robinson, M. D., Calusa; J. I. Montgomery, M. D., Sacramento; Thomas M. Logan, M. D., *Secretary*, Sacramento.

LOUISIANA.

Registration is required but not enforced, and no returns are made to the Secretary of State. There is a State Board of Health, and a city Board of Health at New Orleans. The members of the Sate Board are: C. B. White, M. D, *President*, New Orleans; John S. Walton, A. W. Smith, M. D.; H. D. Baldwin, M. D.; W. H. Hire, M. D.; B. Maas, M. D.; S. C. Russell, M. D., New Orleans, *Secretary*.

VIRGINIA.

Registration is required by law; reports of births and deaths are made to the auditor of the State, but are not published annually. There is a State Board of Health, established in 1872. There are city boards of health at Richmond, Norfolk, Petersburg, Lynchburg, Alexandria, and Stanton, but only the first makes reports. The State Board of Health consists of these members: James L. Cabell, M. D., *President*, Charlottesville; Levin S. Joynes, M. D., *Secretary*, Richmond; J. Grattan Cabell, M. D., Richmond; George Ross, M. D., Richmond; Landon B. Edwards, M. D., Richmond; A. M. Fauntleroy, M. D., Staunton; John W. Lawson, M. D., Isle of Wight County.

MINNESOTA.

Registration required by law and the publication of vital statistics made annually since 1870. There is a State Board of Health established in 1872, the members of which are: D. W. Hand, St. Paul, *President*; N. B. Hill, Minneapolis; V. Smith, Duluth; G. D. Winch, Blue Earth City; Franklin Staples, Winona; A. E. Senkler, St. Cloud; Charles N. Hewitt, Red Wing, *Secretary*.

MICHIGAN.

Registration required by law; the returns are made to the Secretary of State, and published annually. A State Board of Health was established in 1873, the members of which are: Homer O. Hitchcock, M. D., *President*, Kalamazoo; Zenas E. Bliss, M. D., Grand Rapids; Robert C. Kedzie, M. D., Lansing; Rev. Charles H. Brigham, Ann Arbor; Henry F. Lyster, M. D., Detroit; Rev. John S. Goodman, Saginaw; Henry B. Baker, M. D., *Secretary*,

Lansing. Dr. Baker is also Superintendent of Vital Statistics, *ex officio*, and editor of the annual registration reports, four of which have been issued.[1]

MARYLAND.

Registration is required but not enforced; returns are not made by physicians. A State Board of Health was established in 1874, and there is also a city Board of Health in Baltimore. The members of the State Board are: Nathan R. Smith, M. D., Baltimore; C. W. Chancellor, M. D., Baltimore; E. Lloyd Howard, M. D., Baltimore; J. Robert Ward, M. D., Baltimore County; Charles M. Ellis, M. D., Cecil County.

VERMONT.

Registration is required, and reports have been published annually since 1857, under direction of Secretary of State. There is no State Board of Health, and no city boards.

RHODE ISLAND.

Registration is required, and an excellent system has been in force for years; reports having been published annually since 1853. There is no State Board of Health, but a city board in Providence.

CONNECTICUT.

Registration is required and reports of much value are annually published by the State Librarian. There is no State Board of Health.

NEW YORK.

Registration is required, but not enforced; no reports have been made for several years. There is no State Board of Health and no records of the local boards or officers are kept at Albany. City Boards of Health exist in New York, Rochester, Brooklyn, Troy, Buffalo, and other cities. The Brooklyn City Board was organized in 1873 (May 8); the Troy Board established in 1843; the Rochester Board in 1832.

NEW JERSEY.

There is no State Board of Health with full powers. Registration is required by law, and annual reports are made by the Secretary of State. There are city Boards of Health at Trenton, Newark, Jersey City, Paterson, and New Brunswick. The city Board was established at Trenton in 1850; its reports are published in the newspapers. The reports of the Newark City Board are published with the city documents. The returns of births and deaths are prepared and published annually from townships in New Jersey by the Secretary of State, but these are yet very imperfect, though growing better year by year. A Sanitary Commission, of which Dr. Ezra M. Hunt, of Metuchin, is chairman, was established in New Jersey by the Legislature of 1874.

PENNSYLVANIA.

No registration is required, and no reports are made of births, deaths, etc., by the State authorities. There is no State Board of Health, but there are

[1] See Dr. Baker's Paper on a subsequent page.

city boards at Philadelphia, Pittsburg, Allegheny City, Harrisburg, Allentown, Lancaster, Reading, Carlisle, and Lebanon. In Philadelphia there is a good system of registration and annual reports are made.

NORTH CAROLINA.

(No information received.)

SOUTH CAROLINA.

No registration required by law, and no reports are published. There is no State Board of Health, and no city board.

ALABAMA.

(No information received.)

GEORGIA.

No registration is required and no returns are made, except of marriages in the counties. There is no State Board of Health, and no city boards.

ARKANSAS.

No registration is required, and there are no reports of births, marriages, etc., no State Board of Health, and no city boards.

FLORIDA.

No registration is required by law, no State or City Board of Health.

TEXAS.

Registration is required, but not enforced; no reports are made. There is no State Board of Health, and no city board that makes reports.

ILLINOIS.

No registration is required and no reports are made. Marriages are recorded by the county clerks. All the large cities have boards of health.

INDIANA.

No registration is required and no reports are made. There is no State Board of Health.

IOWA.

No registration is required and no reports are made. There is no State Board of Health, and no city board.

WISCONSIN.

Registration is required but not well enforced; reports are made by the Secretary of State and published annually. There is no State Board of Health, but a city board at Milwaukee.

MAINE.

No registration is required by law; there is no State Board of Health, a city board exists at Portland.

NEW HAMPSHIRE.

Registration is required by law, and returns are made to Secretary of State, but only half of the towns make any, and they are not published. There is no State or City Board of Health.

KENTUCKY.

(No information received.)

KANSAS.

No registration is required and no reports are made; there is no State Board of Health, and no city boards.

MISSISSIPPI.

No registration is required and no reports are made; there is no State Board of Health, but city boards at Vicksburg and Natchez.

MISSOURI.

No registration is enforced and no reports are made by the State. No State Board of Health exists, but a city board in St. Louis.

NEBRASKA.

Registration is required but not enforced; no printed reports by Secretary of State are made. No State Board of Health.

NEVADA.

(No information received.)

OHIO.

Registration is required by law, but is very imperfect, and there is no State Board of Health; city boards of health exist in all the large cities; the Cleveland Board was established in 1836. At Cincinnati there is a city registration of births and deaths.

OREGON.

No registration is required by law, except of marriages. There is no State Board of Health, and no city board.

TENNESSEE.

No registration is required, and there is no State Board of Health, or active city board.

CONFERENCE OF BOARDS OF HEALTH.

Thursday morning, May 21, was devoted to a conference between the Health Boards of different States and cities and members of the Executive Committee of the Association. Professor Charles F. Chandler, President of the New York Board of Health, presided. Dr. Bowditch, the Chairman of the Massachusetts State Board, and Dr. R. T. Davis, a member of the same commission; Dr. Ezra M. Hunt, Chairman of the

New Jersey Sanitary Commission; Professor Edward Lloyd Howard and Dr. Charles M. Ellis of the Maryland Board; Dr. D. F. Lincoln, Mrs. Dall, of Boston, and others, took part in the discussion. The topics under discussion were the formation and powers of State Boards of Health, local Boards and their powers, and the operation of the methods of procuring the statistics of births, deaths, and marriages.

Dr. Bowditch, of Boston, Chairman of the Massachusetts Board, opened the discussion with a description of the difficulties which attended the organization of the State Board of Health in Massachusetts, and said that now it was so appreciated that if the Legislature were to abolish it the people would demand its reappointment. He believed in the appointment of men of other professions, in addition to the medical profession. On the Massachusetts Board they had had lawyers and engineers, and business men who could look at things in a business way. There were seven members, all of high standing in their departments. It was unfortunate to have a Board entirely composed of physicians, who look at matters too much from their own standpoint.

Dr. Robert T. Davis, of the Massachusetts State Board, speaking of the powers of the local boards, said it was impossible to grant by statute greater powers than local boards already have under the common law. The extent is limited only by the measure of the emergency, if they choose to exercise them. Of course they hesitate to exercise them. Mr. Sanborn said that it had been his experience that in very many towns of Massachusetts there was great neglect of the matters of public health. The question of a possible conflict between the State and local boards was then discussed, but this was stated by Dr. Bowditch, from his experience, to be unlikely. Dr. Davis said there seemed to be a tendency among the local boards to throw off their duties upon the State boards.

Professor Chandler, after giving a sketch of the position of the Health Board in this city, said that the question of the economy in the establishment of health boards, the economy of sanitary regulations and their enforcement, had never been fully presented to the public. It seems, he said, that the idea of pecuniary advantage to the community is an argument which should be used.

The discussion next turned upon the registration of births and deaths. Mrs. Dall said it was not compulsory in Boston, and was therefore very untrustworthy. Professor Chandler said that in New York city the registration of deaths was very complete. The position of the city as an island rendered it impossible for a body to be taken away without a permit. The registration of births, although compulsory, was not so thorough. There was great difficulty in the registration of marriages, particularly of Catholics.

Professor Chandler favored the keeping of records in every town, and the sending of a summary report to the State Board. Dr. Elisha Harris, Registrar of the New York City Board, said that, while the records were much more perfect than formerly in New York City and Massachusetts, a system of canvassing was necessary to secure greater accuracy. Dr. Hunt, of the New Jersey Sanitary Commission, said that something was done to secure registration in New Jersey, but the system was imperfect. Dr. Harris said, alluding to a remark by Professor Chandler, that a former difficulty in obtaining accurate statistics was the unwillingness of Roman Catholic clergymen to make returns of marriages — a difficulty being gradually removed. But the statistics of some towns were very loosely kept. He knew of one where the deaths reported by the census takers were less than a quarter of the interments known to have taken place. Mrs. Dall said it was impossible legally to prove any birth during the last twenty years in Boston.

Dr. Harris then presented a paper on Registration, which, without being read in full, was received for printing. It is as follows: —

VITAL REGISTRATION. — PUBLIC USES OF VITAL STATISTICS.

As every science is based upon an accurate knowledge of facts to which it relates, so the completeness and practical usefulness of any science depend upon the breadth and thoroughness of the inquiries into the range, relations, and significance of the individual facts. The science of life and health, the laws of population, and the social state of the people, the expectation or chance of lives, and the preventable causes that abridge the length of life as well as diminish bodily health and soundness, depend upon a variety of conditions which must be accurately examined and compared in order to apply them to practical ends. Mortality tables and birth records as given to us in early times, fail to teach the truths which mankind most need to know concerning the causes that war against health prosperity in human lives. But in the progress of knowledge during the last fifty years the registration of vital statistics has come to signify something more important to the world than that each resident who came and departed in the ceaseless train of mortal life was "born on such a day and died on such another." Vital registration and vital statistics comprise the "account current" of human lives, together with balance-sheets and all the records, correspondence, and returns of factors, and the accounts of waste and repair, and of the assurance values of the living stock. Though the first elements of vital registration seem to be very simple and of ready arrangement for the book-keeping of a State in account with population, the chief fields of inquiry and practical information lie beyond the great records of the census of the people and public registers of the three grand epochs of a life-time — birth, marriage, and death. These first and essential records have become more and more complete and trustworthy as our civilization advances. They should be perfect. Yet the fields of practical study and the sanitary and social duties lie further on, and they most concern individuals and families, legislatures and States. The

various direct uses of the records, as registered in a Bureau of Vital Statistics, are obvious, for families and estates as well as individuals are continually appealing to these records for defense and proof of their rights. There are, likewise, continual appeals to the total summaries of the registers to aid in the solution of various politico-social problems. And to the science of hygiene and the discovery of the conditions, removable causes, factors, and laws of epidemic and other diseases and the disasters that imperil and waste human life, vital statistics contribute the highest influence and most practical results. The ablest and most carefully accurate teacher of sanitary science in our time — Professor Parkes, of England — states: "The fact that in modern times the subject of hygiene generally, and State medicine in particular, has commenced to attract so much the public attention, is undoubtedly owing to the application of statistics to public health. . . . . It is impossible for any nation, or for any government, to remain indifferent when, in figures that admit of no denial, the national amount of health and happiness, or disease and suffering, is determined. . . . . The establishment of the Registrar General's office, in 1838, and the commencement of a system of accurately recording births and deaths, will hereafter be found to be, as far as the happiness of the people is concerned, one of the most important events of our time."[1] The personal records and arithmetic of human life have pointed the way to sanitary investigation and reforms, and in return, the methods, the accuracy, completeness, and analysis of vital statistics have been incited by these noble and life-saving uses of such statistics. These new uses of the recorded facts that make up what are termed vital statistics not only marked the new era in public hygiene, but the value and variety of the practical applications of the facts which are found necessary for the special uses desired by sanitary students when they would inquire into the causation and prevention of evils which war against life have led to most important improvements and greatly increased thoroughness in the statistical records themselves, so that the definite accuracy and completeness of our statistical registration to-day immensely surpass the records of years past.

The accuracy and completeness of the statement of facts, and the exercise of ceaseless patience in the accumulation and logical arrangement and study of them, will always determine the uses to which they should be applied. Vital statistics conspicuously require such patient and logical study. The foundations for complete and accurate analysis of the registered facts in this branch of knowledge require the following conditions, namely: —

1. That the census of population be complete and accurate.
2. That the causes of death be correctly given.
3. That the personal record, social and industrial relations, and the local and domiciliary circumstances of every death, shall be methodically and very accurately stated.
4. That the current records of mortality shall be subjected to continual study and such grouping and analysis as shall bring the comparable facts into a concrete statement.
5. That the registration of birth and marriage shall be as complete as the

[1] *Practical Hygiene*, by Dr. Parkes, p. xxii.

records of mortality, and that, as respects the individual records in this branch of vital registration, they should be perfect, in order that the full value and significance of all the records which are registered shall be insured to statistical and biological science, as well as to the persons represented in the registry.

The perfectness of individual records is the very first condition of utility of vital statistics. The negligence of the duty of accuracy and completeness in the certificates of birth, marriage, or death, is inexcusable, and so is the neglect to return records of birth and marriage, under the plea that such statistics are valueless, except all births and marriages are registered. The fact is, that census and other registered statistics are never numerically complete. Even the statistics of armies and of revenues, which certainly ought to be absolutely complete, fall far short of numerical accuracy in some particulars. But the most accurate and practically important deductions from any statistics are made from the masses of records which have been proved to be accurate and comparable, while the floating margins of incomplete and questionable records are defined and used for whatever values they may possess. Let us consider some of these points for a moment.

THE CENSUS OF POPULATION.

No census is as complete and accurate as it is desirable it should be. But every successive enumeration of civilized people is becoming more and more accurate and complete. It is scarcely two hundred years ago that the best student of the laws of mortality in England said that until then he "had been frightened by that misunderstood example of King David (in enumerating the people), from attempting any computation of the people of this populous place" (London). At that period it was a common thing for the people of London, even the high officials of the city, to speak of millions of city inhabitants, when the actual number was below 600,000, and for two centuries the record of births and deaths showed the total yearly burials, and gave only about two thirds as large a number for the total births. But as the city population continued to increase by its birth-rate as well as by immigration, there must have been error in the birth registration; and there was, for we find they counted only the baptisms and omitted the unchristened. This kind of error occurs in the writings upon some social statistics in our day, where only the returns given by physicians attending at births are quoted as the total statistics of births. Errors equally important may be found in the statistics of marriage: and in this branch of registration nothing short of a formal ante-nuptial record and official certificate of such compliance with the forms of law will prevent the negligence and defects that occur in this branch of vital statistics. The social and legal interests which are concerned in this registry must also in this manner be made sure.

DEFECTIVE METHODS OF TAKING THE CENSUS.

Experience proves that trustworthy statistical elements and groups of results of enumeration cannot be obtained by the defective and roving methods which have prevailed in many countries until recently, and which, in the United States, have until now defeated the best efforts of successive

superintendents of the census. Whoever will read General Walker's remarks upon the "Essential Viciousness of a Protracted Enumeration" (see pages 21 and 22, volume Population, Ninth Census), will be prepared to join in purpose to secure the adoption of the true and rational method of taking the National and State census in all subsequent times.

With all its imperfections the census approximates the results that are required in the study and uses of vital statistics, and like the total columns which we foot up in the records pertaining to birth, marriage, and death, we use all that we find accurately reported, and study that which is questionable and incomplete, making such uses as we can of such reports.

SOCIAL RECORDS — BIRTH AND MARRIAGE REGISTRATION.

The fact being now ascertained that the life assurance values of individual lives and various important deductions that bear directly upon the expectation of life, depend upon accurately registered records of the birth and social state of given populations, there is an obvious relation of these two branches of vital statistics to financial as well as social, moral, and personal interests. Yet the latter considerations are amply sufficient to demand the utmost faithfulness and completeness in these records. But when we consider that a correct and trustworthy life assurance table or annuity schedule cannot be constructed without an accurately stated basis in the public registers of birth and death, the argument for providing by law for insuring the utmost completeness and accuracy of these records is strong enough.

RECORDS OF MORTALITY.

The personal and family record that identifies and describes the deceased individual is readily rendered quite complete. The forms prescribed in the Bureau of Vital Statistics in the City of New York may be regarded as sufficiently complete and simple to answer all practical purposes of mortuary registration. The permanent uses of the registers of mortality do not require a record of all the information which, for certain purposes of local sanitary government, may need be called for at the time of the death and interment of the individual. Hence arises a necessity for obtaining such special information by methods which every Health Board or Register of Vital Statistics may demand and secure. The specifications desired concerning various diseases and questionable causes of death can best be obtained at the time of death. There are certain conditions and places of domicile and of occupation, and concerning complicating and attendant causes or conditions concerned in a death, that should receive a record in the certified voucher sent to the Register, but which are merely for the information and uses of sanitary authorities. Such, for example, are the memoranda required in our New York certificates of death, as regards the number of families in a house in which a death occurs, and such is the statement given in the same certificate in regard to the duration of the fatal disease and the relation of remoter and complicating causes.

Every Board of Health in cities and large towns, and the local Health Officer in every village and rural sanitary district, where there are such

districts and officers, will, with great advantage, specify and obtain such kinds of information in connection with the ordinary certificates of death.

STATISTICS OF SICKNESS AND CAUSES OF DEATH.

In every city, in most large villages, and any State or large district of country, the records of mortality would show, when properly registered, that there is a vast difference in the death rates of different localities, and still more, that the chief fact in the registered difference is simply that diseases which are known to be most preventible — mostly due to neglect of sanitary duties and precautions, especially to neglects of local and domestic hygienic measures — stand charged upon the death records as the causes of the excess in the death rate. In order to bring this kind of information to bear in full force, there is need of further records of prevailing diseases and of sickness rates in particular localities. These will, ere long, be found of invaluable importance, but they will neither be obtained, nor become available except where there is an efficient sanitary service. The Health Department of the City of New York has, since 1866, felt the want of such statistical and descriptive information, and must at last succeed in obtaining it. In each systematic inspection of tenement dwellings, some useful information in this line has been acquired and it has corroborated the indications of the records of mortality in the respective houses and localities. The following tables will illustrate this: —

TABLE A.

A STATISTICAL VIEW OF THE DEATHS IN TENEMENT HOUSES (WITH A GREAT EXCESS OF MORTALITY) IN FIVE STREETS OF NEW YORK IN 1873, ETC.

[From three to nine deaths occurring in each house. Houses containing from four to thirty families.]

Street.	Houses in which Three Deaths occurred.	Houses in which Four Deaths occurred.	Houses in which Five Deaths occurred.	Houses in which Six or more Deaths occurred. (Numerals in parenthesis showing the actual Number of Deaths in the respective Houses.)
Cherry Street .	3 3 3 28, 36, 56, 146, 148, 158, 3 244, 292, 324, 362, 437.	7 5 6 32, 126, 144, 221.	7 3 18, 22, 88, 174.	3 (8) (6) 26, 127.
Henry " .	4 8 27, 45, 236, 302.	238, 296.	4 8 42, 90, 95.	3 (6) 3 (6) 125, 310.
Mott " .	3 6 21, 46, 49, 103, 196, 205, 3 217, 252.	7 3 47, 57, 104, 148, 3 4 157, 159, 204, 229, 232, 282, 297.	....	3 (6) 4 (7) 102, 115.
Mulberry Street	4 3 9 3 20, 33, 39, 44, 45, 53, 54, 3 62, 65, 73, 79, 89, 109, 5 5 110, 113, 118, 119, 140, 5 167, 171, 175, 235.	7 5 3 3, 26, 41, 47, 51, 5 4 86, 115, 116, 120, 5 4 166, 301.	32, 111, 121.	4 (9) 7 (7) 4 (6) 59, 55, 87.
Washington St.	3 3 3 25, 29, 35, 57, 127, 135, 3 429, 715, 759, 781, 808.	3 3 6 5 10, 16, 26, 59, 96, 4 113, 637.	3 6 3 12, 28, 33, 107.	6 (7) (8) 102, 757.

The black numerals over any particular figure (street numbers) show the number of deaths in such house for the year 1872.

GENERAL SUMMARY OF THE MORTALITY

Mortality	First District	Second District	Third District	Total
In tenement houses	[illegible]	[illegible]	[illegible]	[illegible]
In public institutions	[illegible]	[illegible]	[illegible]	[illegible]
In private dwellings	[illegible]	[illegible]	[illegible]	[illegible]
Total Mortality	[illegible]	[illegible]	[illegible]	[illegible]
Percentage of deaths in tenement houses	47.19	[illegible]	[illegible]	[illegible]
Percentage of deaths in public institutions	11.13	[illegible]	[illegible]	[illegible]
Percentage of deaths in private dwellings	41.68	27.10	[illegible]	[illegible]
Percentage of deaths in tenement houses and public institutions on total mortality	[illegible]	72.90	[illegible]	[illegible]
Percentage of deaths in tenement houses and public institutions on total population	1.76	1.80	2.14	2.02
Percentage of total mortality on total population [1]	3.02	[illegible]	[illegible]	[illegible]

[1] These percentages are estimated upon the enumeration of the Census of 1890, and the special Census of Tenement Houses by the Board of Health in 1894–95. The public institutions derive their inmates from the tenements, mainly; hence their mortality may for certain purposes be reckoned together. It will be observed that about 42 per centum of the total population gave 66 per centum of the total mortality.

A correct understanding of the practical value and uses of the separate mortuary and hygienic account with each house, each block of houses, and each street, and each special district, requires that we should have before us the map of the sanitary topography of the city, the sanitary inspection census and description of the several houses, and the census and description of each district; these have always constituted a part of the basis for such an analysis of the course and quantity of mortality and of the various causes of death. Every tenement house is registered and minutely described in the records of the Health Department, and the duty of devising and conducting the first sanitary survey and inspection registry having been committed to the writer of this paper, he would add that in this study various circumstances concerned in the mortality of families and in particular houses and places these inspection records have special value.

The form of inquiry on the opposite page was adopted for the first inspection and registry. Under these heads of inquiry, — 40 in number, and each one answered after personal inspection, — 14,494 houses, containing an average of 7.13 families in each, were carefully registered, and a description of all grounds and every class of buildings given to show the surroundings of these great congregate or tenement dwellings. In these tenements were found 113,402 families and 463,392 persons. But for our present purpose we may omit the details of these recorded facts concerning the homes of the 113,402 families and simply present this condensed copy of column headings of the Registers as now bound up and used for reference in the Health Department.

ILLUSTRATION OF THE UTILITY OF A CONSTANT SANITARY ACCOUNT WITH DWELLINGS, LOCALITIES, AND CLASSES.

NOTES OF SANITARY SURVEY, NEW YORK, 1870, BY THE METROPOLITAN BOARD OF HEALTH.

	1	2	3	4	5	6	7	8		9	10	11	12	13	14	15	16	17	18	19	20
Registered Nos.	Street	No.	Facing N. S. E. W.	Front or Rear (F. R.)	Name of Owner, Lessee, or Agent.	How occupied.	Stores and Manufactories in House, and where	Width and Depth of		Sanitary Condition of the unoccupied portion	State of House Drainage.	Location, Number, and Condition of Privies	Are they sufficiently flushed. How?	Sanitary Condition of Cellars or Basements.	What Offensive Exhalations. Whence	Location and Condition of Garbage Vessels	Ventilation of Halls.	No. of Families.	Total Population. (State if C. or E.)	How many persons unvaccinated.	REMARKS AND SUGGESTIONS concerning Sanitary Wants of House or Premises. (And if a Tenement House fill up the Special Record for the Tenements.)
								The House.	Unoccupied portion of the Lot.												

SPECIAL NOTES ON TENEMENT HOUSES, — *continued.*

Registered Nos. (repeated.)	1	2	3	4	5	6	7	8	9		10	11	12	13	14	15	16	17	18	19	20	
	Material of Building	Old or New.	No. of Stories high	Detached or in Block.	Depth of open space in rear	Hall, how Lighted and Ventilated.	Number and kind of Apartments to each Family.	Have they through and through Ventilation	Dwelling Rooms. General condition, Cleanly or Dirty	Average Cubic Space per Occupant.	Bedrooms, average cubic space per Occupant.	Are Slops and Garbage thrown into the Street.	Water Supply.	What Causes of Impurity of the Air on or near the Premises.	Sections of Tenement-House Law violated.	Nationality of Occupants.	Occupation.	Prevailing Diseases, and at what time in the year	What Contagious Diseases in House at time of Inspection.	Ratio of Sick to Healthy at time of Inspection.	Average Rent paid per Month. $	Cts.

The above statistical tables show the grouping and total of mortality and the causes of death in all the tenement dwellings in the city of New York for the year 1873; also the total and relative mortality in the several wards, and present the death-rates as they range from 33 in 1,000 inhabitants in the First Ward down to 16 or 17 per 1,000 yearly in the best drained and most healthful wards in the heart of the city.

In the summary of tenement mortality it appears that 14,109 deaths occurred in 8,856 tenement houses; that in one house 11 deaths were reported, in two houses 10 each occurred, in six 9, in five 8, in sixteen 7, in thirty-seven 6, in a hundred and nineteen houses 5 deaths each and so on to the total 14,109 deaths.

Records of sanitary inspection and the official orders and works of improvement that issued thereon show what *immediate* application such records of mortality may have in the aid of officers of health.

Not only are particular houses, blocks, areas, and streets susceptible of separate study in this way, but whole districts of a city or State, and separate classes of population should be so studied. Already in England the sanitarily improved districts are separately studied for new and more favorable rates of life assurance. Dr. Farr's new "Life Tables for the Healthy Districts of England," present this matter in a most practical way. Grouping 63 of the healthy towns and districts in England, and interpreting the death-rates at each age of the living inhabitants, and comparing with birth-rates and yearly increase of population, "the chance of life" in those districts is found to be vastly greater than that of the average population of the whole country. The concrete fact in regard to this matter is this: "Persons in the healthy districts of England who reach the age of twenty years, will, upon an average survive $43\frac{85}{100}$ years or to the age of $63\frac{85}{100}$, while in the general average chance of life for the whole of England the persons who reach 20 years of age will only survive 25.82 years or to be 45.82 years old.

Now the fact is readily ascertained by any competent health commission, that has authority to order and supervise sanitary improvements, that the adoption of efficient sanitary measures has a sure following of reduced death-rates. But the certainty and degree of such reduction will depend upon the thoroughness and fitness of the means adopted. Hence the continual observation and study of the causes and circumstances of deaths and especially of the prevailing diseases and the sources of depraved and enfeebled bodily conditions, are important requisites of correct sanitary inquiry and of proceedings in health measures.

Such are some of the public uses of Vital Statistics.

VITAL STATISTICS OF DIFFERENT RACES.

By Edward Jarvis, M. D., of Dorchester, Mass.

[In connection with the subject of Vital Registration, mention was made at the Health Conference of the valuable contributions by Dr. Jarvis, a member both of the American and of the British Social Science Associations, to the Statistics of Mortality. It may not be out of place, therefore, to print here an unpublished address of Dr. Jarvis, made at the General Meeting in Boston, May, 1873, after the reading of Professor F. A. Walker's paper on the Census of 1870. Dr. Jarvis spoke without notes, and we print from the phonographic report.]

Dr. Edward Jarvis. There is much in race. The races differ more than we imagine. The amount of vitality, or what the statisticians call "viability" (the chance of life), is much greater in some races than in others. There is a difference among various races in the proportion of births to marriages, and in the proportion of births to the whole number of people; but there is a greater difference among these races in the probability that a certain number of births will survive to mature age, than there is in the proportion of births. I had occasion, within a few years, to look at that matter carefully. I took the life-tables of many nations, taking, say a million of births in each. The question was, How many children in a million will grow to mature life? Suppose a boy or a girl is a vital machine begun, which you wish to finish off so as to be in running order, how many of them will reach mature life in the various nations? In some fourteen nations, the records of which I have at home, I found that out of a million births, the Irish showed the smallest number arriving at mature life. I went still further. I wanted to see what the value is of these emigrants that come to us, on the supposition that we imported them as machines, mere working power; if we import 100,000 of each nation, how many years will they live between twenty and sixty? The number of day's works or year's works out of a thousand persons born, or out of a thousand persons imported before they are twenty years old, is the smallest in the Irish of any nation that comes to us. Dr. Farr began this calculation and I have carried it out more extensively; and I find that if a million children were born each year in the various countries, that million would maintain in Norway of Norwegians, and in Sweden of Swedes, a constant population of 48,000,000; in England, 40,000,000; in France, 34,000,000; in Ireland, 22,000,000, and some hundreds of thousands. That is to say, a million children born every year, or a hundred thousand (more or less, whatever you say, but the same in every nation), will maintain a constant population of

less than half of the Irish, Hibernian, or Celtic race, than they will of the Scandinavian. Therefore it becomes a question, as a mere matter of profit, supposing we wish to import persons as machines, whether it is not better to import, first, Swedes, and Norwegians (Scandinavians), next, the English; next, the Belgian nation, and then the French, before we import the Irish? It is simply a matter of calculation, a matter of numbers. I took these figures from the Irish and English life tables, from the Swedish, Norwegian, and the rest. I am sorry that I have not the German life tables, but I think I should be borne out in saying that Germany and Saxony will come higher (certainly as high) than the English, in the matter of vitality, and next to the Scandinavian nation; much higher than the French, Belgian, or Irish.

I have been a student of the census for many years, sometimes painfully so, almost always joyously so, whether profitably so or not I cannot say. I have in my possession a complete set of the censuses of the United States, nine in number, and I think nearly all the State censuses. I have studied them carefully, and noticed their progress, and they have been improving from time to time, growing better and better; and I must say with satisfaction, that while this improvement has gone on from the beginning, the greatest advance in the value of the censuses of the United States has been from the eighth to the ninth.

But I fear we have not always got all the children in the early ages. I believe our censuses have been as correct in this respect as elsewhere. I have now in my office four French censuses, wherein I have found apparently a very great deficiency in the number of children under one, two, and five. I came to that conclusion in this way: Take the reports of the French Bureau, which I suppose to be the most correct, because the law of France requires every child that is born to be presented to the chief of the commune or town a few days after its birth, when it is recorded. There can be no more children recorded than are actually born and presented, and probably this includes all births. I have these accounts of the births in France, going back fifty years. Now, take the census for, say, 1861; if you compare the births of the year next preceding (1860), with the number of children under one year old, you will find there is apparently an enormous mortality among infant children. Comparing the previous year, 1859, with the children between one and two, you find a similar deficiency. Comparing the children under one with those who are five years old, five years later, in the next census, you will find that instead of apparent deaths, there has been an apparent increase. The children, instead of dying, multiply as they grow older. Comparing the numbers under five with those in the next census between five and ten, instead

of dying, I have found that they have multiplied. Comparing the number of children under five in the census of 1850, with the children, boys and girls, between ten and fifteen in 1860, in this country, I found that instead of any decrease there, instead of any deaths, there had been an increase, apparently. As we have in olden times an account of persons born a hundred years old, so here were children born at least ten, eleven, twelve, fourteen, or fifteen years old. And this was an exact comparison, because these children between ten and fifteen, in 1860, were simply the same persons who ten years before were under five. There was no addition by foreign immigration, because that had been excluded. With a labor which cost a clerk of mine almost a month's time, and more than two thousand calculations, I was enabled to exclude from the census of 1860 all that had been added to this country during the previous ten years; hence this was a comparison of the same persons under five in 1850 with those under fifteen in 1860, and they were increased, according to the census.

Now no one would suppose that any persons would get into the census who did not exist. Each census was taken by name, by description, age, and sex, and with some other facts. It cannot be supposed that there were more set down than did actually exist between ten and fifteen years of age, in 1860; but it may very easily be supposed that children under five might have failed to be reported. And so it was in the four censuses of France. I compared the United States census of 1860 in the same way, — the children under five with those between ten and fifteen, and I found a similar deficiency, but not so large. The census of 1860 reports in one of its classes the natives, and of course it must be those who were born in this country. It includes no foreigners. I compared the number which I had in 1860, excluding the foreigners under five, with those, and I found a similar apparent deficiency in the numbers for 1860.

Now this discrepancy is very easily accounted for. Our census marshals are not always men of the best discipline, nor men the most persevering in their inquiries. The marshal has as many houses to call at as he can visit in a day, and he gets the best information he can. He goes to a house, and if he finds the father or mother in, it is very well; he gets the best possible information. If he finds a daughter or a son, there is good authority. But perhaps the immediate members of the family are all gone, perhaps there is nobody at home but a servant, — a negro, or Irishman, or German, or some other foreigner, who, perhaps, has been but a few days or months in the family, and knows very little about it, and he gives but a very imperfect account. Oftentimes the marshal does not clearly understand what is said, but he puts down such facts as he gets. There are various other causes

by which, here and elsewhere, we fail of perfect returns of all the facts that actually exist.

I made up a report upon the United States mortality in 1860, for which the tables were sent to me from the Census Bureau at Washington. They had gone through several hands. There was the report of the family; there was the report of the marshal who received the statements and sent them on to Washington, where the returns were abstracted and digested; and finally they came to me in large sheets, showing the number of persons who died in each month, of each disease, of each age, in each State in the Union. My clerk who worked on these tables would ask me such questions as these: "Can a woman sixty years old die of teething?" It so appeared. "Can a person under one year old die of *delirium tremens* or drunkenness?" There were quite a number of those cases. "Can a person in Texas die of freezing in July?" That was presented in the record. "Can a person in Maine die by sun-stroke in January?" There were such cases. Now, probably in those cases the marshal misunderstood, or did not stop to think. He misunderstood the month in some cases, the age in others; but he put down exactly what he heard. He took no time to stop and think. These reports all went to Washington, and were transcribed. In the last census, there was sagacity enough to see that all these things could not be true, and such errors were eliminated or corrected, so that they do not vitiate the results. From the imperfection of human machinery there is very great danger of having such mistakes, so that we do not get a perfect record of the facts as they exist; but I must say that I have found no such mistakes in the last census, no such want of fullness and accuracy.

Another matter spoken of this afternoon was the falling off in the increase of population during the war. I have made a calculation for the Statistical Association, within a month, of the deficiency of births in Massachusetts, Connecticut, and Rhode Island during the war. I found that the proportion of births to the population in Massachusetts, comparing only the four years of the war with the six years previous, fell off twenty and a half per cent.; not the whole number of births in proportion to the whole population. And after the war, the births increased in the next five years but about twelve and a half per cent., showing that families had not then got restored to their normal position. In Rhode Island and Connecticut the result was similar. I am sorry that I had not the birth records of the other States, but there were no other reliable records. Massachusetts is the most complete and the most satisfactory, because the nearest to fullness in the reports of births; perhaps as full as we shall ever get; but in Connecticut the records are not so perfect; in Rhode Island they come nearer to Mas-

sachusetts; in Vermont they are not perfect; in Michigan they have but just begun. Now in Massachusetts, so far from the seat of war, with comparatively little disturbance or suffering at home, the destruction of young people who would have married, the division of families, etc., had been such that there was this falling off of one fifth in the births during the war; and I have no doubt it was the same or worse in all the States.

There is another element in this matter, which is a universal element. In all times of distress, when the population is disturbed, and the peace and quiet of the home interrupted, when trade, when labor, when manufactures are taken out of their ordinary way, when incomes are diminished, and the means of support of a family are not easily obtained, there is universally a diminution of marriages and a decrease in the births of children. Still further, and still more painful, there is always a lower chance of life for the children. Whatever produces distress, diminishes vitality and the means of supporting vitality. That acts most powerfully upon the poor, and upon little children. Look at the records of Sweden for one or two hundred years. When Sweden has had periods of famine, you find during those periods of famine a diminution of marriages, a decrease of births, and increased mortality. I have found the same in England. Wherever you find the records of the means of living, and at the same time the records of the marriages and births, and of mortality, you find this result, — whenever social prosperity goes down, there is always a diminution in the increase of life, and a diminution in the continuance of life, especially in those who have the weakest constitutions. Now, how far this operated at the South, where the war was present, and society was almost universally broken up, where marriages must have diminished, where families were divided and scattered, I do not know; but I think it must have been vastly greater than in Massachusetts.

Another point. Speaking of the increase of foreigners in this country, I found, from looking over the number of foreigners who came to this country from 1790 to 1870, and comparing them with the number of persons of foreign birth found living in this country in 1850, 1860, and 1870, that the mortality of the foreigners was much greater in the several ages than the mortality among the people of New England, and probably of New York, and all the Northern States. I found that, up to 1850, the force of mortality resting upon the foreign population here was seventy-nine per cent. greater than it was upon the natives. That is, taking the whole; it would be still greater as compared with our own New England population. In other words, as fast as one hundred natives of this country died, one hundred and seventy-nine foreigners died. Taking the foreign population that was

in this country in 1860, and adding those that came year by year, calculating from the time they were here, — taking the number of those that by computation should live, — the mortality among foreigners was four per cent. as compared with a native mortality of two and a quarter per cent. That is, the rate or force of mortality showed that disproportion; I know not why it is, but it is so. I remember seeing an article some years ago which was read before the British Association for the Advancement of Science, to the effect that our climate was so destructive that it carried off all the foreigners; that the duration of foreign families in the country was only three generations; and finally, that if America was not continually supplied from abroad by emigration from foreign countries, in three generations we should all be swept off clean, and no trace be left that there had ever been anything but Indians here. Nobody believed this, except perhaps the writer, who seemed to think that we were indebted to the new foreigners for our population. Now it is the new foreigners who die. Their children will live longer because they have better constitutions. Somehow or other, I do not know how it is, but the old families are the most enduring, most persistent, and have the longest life.

THE SECOND SESSION OF THE CONFERENCE.

On Friday, May 22, at 10 A. M., there was held a joint session of the Boards of Health and Public Charities, at which but one paper was read, the session being mainly occupied in discussion and in the consideration of the preliminary reports of the committees appointed at the conference of Boards of Charities on the Wednesday previous, of which mention has been made in the sixth number of the Journal. At the Friday's conference DR. STEPHEN SMITH, of New York, presided, and DR. HARRIS acted as Secretary. Dr. Smith opened the session by reading a paper on the "Powers and Duties of City Boards of Health," in which he alluded to Dr. Harris's paper on Registration, and said that it is a fundamental duty of such Boards to organize a complete registration of the vital statistics of the City. It is such registration alone that can lay the foundation of permanent sanitary work, nor is it sufficient that it should simply give the total number of marriages, births, and deaths annually. It should furnish all those collateral facts and evidence which are necessary to a thorough study of the intricate and obscure questions relating to the social and physical well-being of the people. Coming to the subject of sanitary precautions, he said that most contagions may be warded off and restricted by the isolation of the sick. It is not too much to say that small-pox, scarlatina, and

other diseases may be tolerated or suppressed at will by such measures. Against small-pox, no intelligent physician doubts that any city may be absolutely protected. Measles and other such affections are not less susceptible of control by isolation and disinfection. Endemic diseases are mainly due to imperfect scavenging and defective methods of dealing with excremental matters, both personal and domestic, such as the decomposing refuse of kitchens, overflowing cesspools and privy vaults, cellar damps, etc. To discover and cause the abatement of these gross nuisances against public health, as well as against public decency, is evidently the province of sanitary officers. Their duties should also embrace the proper regulation of trades causing sickness, so as to protect the health of operatives, and the dwellers in the neighborhood who are subjected to deleterious gases that create sickness, or offensive odors which compel them to shut out from their houses the external air. In short, it is sufficient to summarize sanitary duties as follows: (1) Regulation of commerce and immigration that will prevent the admittance of exotic pestilences to the cities, either in the cargo or among the passengers. (2) Persons suffering from contagious diseases must be rigidly isolated, and (3) trade and business causing special forms of disease among operatives or among the people must be placed under such regulation as will effectually remove all causes and sources of sickness.

Health boards are required not only to study the bearing which all existing public works and all projected public improvements have upon the public health, but they must come down to the individual, and study the influences which affect his general health and tend to invalid him and shorten his life. These influences may be grouped as follows: First, drainage; second, food supply; third, water supply. A sanitary Board should, from its peculiar constitution, be the ablest and wisest authority in at least three departments — medicine, law, and mechanical engineering. Thus constituted, the community may safely commit to its care the varied duties and numerous trusts which devolve upon the guardians of the public health. In its connection with other Government departments it should always demand all such restrictions of their action as it may judiciously deem detrimental to the health of the community. Steps are being taken in the right direction in the formation of such boards in the larger cities, and not only is State medicine beginning to be recognized as an essential feature of municipal government, but there is a healthy tendency toward the selection of the best qualified officers for sanitary administration.

As no full report was made on Thursday of the extempore remarks of Dr. Bowditch, of the Massachusetts State Board of Health, in regard to the success of that organization, it may be well to cite in this connection, and in illustration of some of the points touched upon by Dr. Smith, a portion of Dr. Bowditch's address to the members of his Board, printed in their fifth report, for 1873. Dr. Bowditch then said: —

At the organization of this Board I endeavored to express in a few words some general views of the great and benign objects presented before us, and the correlative public duties that devolved upon us, by our appointment as members of the State Board of Health. I wished then to give my highest ideal of those objects and duties, and I then expressed my belief that we should not fail of doing some service to the people of Massachusetts if, with simplicity of purpose and single-hearted devotion to that purpose, we should pursue, slowly, perhaps, but steadily, the path opening before us. It is not my intention now to review what we have already done. I may, however, be allowed to say that the annual liberality of the legislature in regard to our reports, and the fact that the example of Massachusetts has been followed by several States of this Union, who have established similar boards, is certainly gratifying. It would seem that our example has stimulated others to a like course of action in regard to Preventive or State Medicine, as it has been sometimes called, because the improvement of the public health and the prevention of disease among the people is the object of both. This object has now occupied us for five years, and we can, perhaps, see more clearly its tendency and noble scope. We can also, perhaps, prophesy more decidedly than before the beneficial results that will accrue to mankind when the world enters heartily into its objects, and when similar boards have been formed, and have worked for many years in every civilized community.

Preventive or State Medicine is of recent origin. It has been the natural outgrowth of modern thought and resources, stimulated by centuries of suffering and by the sacrifice of multitudes of human beings. Modern thought, later and more scientific methods of investigation, and more rapid means of communication of thought and of action, have given this idea to the nations. It is true that Hygiene, or the science which would promote human health, has been discussed from earliest times, but commonly as applied to the individual man. The scientific study of the laws of disease as they affect large masses of men, and the voluntary efforts of great states to study those laws by means of boards of health, or of experts set apart for this special purpose, are strictly of modern origin. Hippocrates, wise as he was, could not, with the imperfect means of communication in his day, have inaugurated it. Moreover, in the earlier states, man as an individual never stood, in the estimation of his fellows, nor of the government, so high as he does at the present day under European or American civilization. Formerly his welfare was subordinated to that of the state. Now, the theory is exactly the reverse, and the state claims to have the tenderest interest in the welfare of each and every one, the humblest or richest of its citizens. Formerly, all persons believed, as many now believe, that prayer should be offered to the offended gods in order to stop plagues, famine, and death. But now, most persons feel that, although

prayer may avail much to enable an individual or a state to bear calmly some terrible calamity or to die bravely, if need be, in a great cause, it can never drive away fever, cholera, nor small-pox. It can never cure consumption, though it may help both sufferer and friends to bear it more patiently. To submit quietly to any remediable evil, as if to the will of Providence, is not now considered an act of piety, but an unmanly and really irreligious act. It is the part of error and stupidity which does not believe in the duty of studying into the physical causes of disease, and in at least endeavoring to crush out these originators of pestilence and of death.

Modern Preventive Medicine has been hinted at by Nature from the earliest time. Occasionally she has shown us how she can summarily strangle disease, and drive it forever from its usual haunts. The great fire in London, in 1666, burned up the greater part of that metropolis. With its sorrows, trials, and losses, it brought one of London's greatest blessings, viz.: the extirpation of the plague which had previously so often ravaged the inhabitants. Intermittent fever has ceased in certain parts of Great Britain and of this country under the influence of tillage and drainage of the soil. Till inoculation was brought from the East and taught to modern Europe, the physician could not mitigate small-pox. Jenner, led by Nature's teachings, substituted the milder disease of vaccination for the fatal scourge of small-pox.

Private investigations in Europe and America have, in these later days, proved that residence on a damp soil brings consumption; and, second, that drainage of wet soil of towns tends to lessen the ravages of that disease. We have been taught by Murchison and others that fevers are often propagated by contaminated drinking-water or milk. Our own Board investigations have proved that contaminated air may also cause it. Still more recently cholera has been brought, in its origin and progress, under law, and we know how we could probably prevent it if proper precautions against its origin were taken. A neglect of proper sanitary regulations tends to propagate this scourge, year after year, over Europe.

These monitions given by Nature and individuals as to our power of checking or preventing disease, have at last culminated in the fact that the state decides to use its moral power and material resources in aid of State or Preventive Medicine. England, in this respect, outranks all other countries. America, I think, stands next. This appears to me the general course of events hitherto in regard to public health. I do not mean to assert, however, that nothing has ever been done before by the state. On the contrary, the Parliament of Great Britain and other European States and the legislatures of our various States have at times spasmodically and tentatively, for centuries past, given powers to local town boards of health. They have, moreover, at times, devised important plans for the health of the people and for the prevention of the spread of certain diseases. But all these were trivial compared with the present position of England and of some States of this Union where State boards of health have been established.

With one accord I believe it may be said that the whole profession has cordially greeted the advent of State or Preventive Medicine. What, it may now be asked, will be the effect upon the public and the profession after two or three centuries of growth of the principles of Preventive Medicine? I look

forward with high hopes for the future of this young idea, founded as it is on the duty of the state to investigate the laws of all diseases so that, as far as possible, all shall hereafter be prevented. I think that idea cannot fail of making a stalwart growth. It may make many errors, but it must make yearly progress in the knowledge of the more hidden causes of disease.

In regard to the relation between State boards and local boards, which was a point somewhat discussed in the Conference, the following passage may be quoted from the last report of Dr. George Derby, the first Secretary of the Massachusetts Board, whose death, a few weeks after this Conference has deprived the Association of one of its most esteemed members. Dr. Derby, who was Secretary of his Board for five years, and had much to do with its work, thus speaks of the relation of the towns and cities to the State in sanitary matters: —

It is the wish of the Board to be informed at all times of the occurrence of epidemics in any part of the State, of the existence of any exceptional forms of disease, of unusual sickness or mortality, and especially to stimulate inquiry concerning the preventable causes of disease. Another purpose constantly kept in mind is, to persuade the people in the various towns to organize efficient health boards, of which one member at least should be an intelligent physician, and to support these boards in the fearless exercise of the great powers which are given them under the General Statutes. With these views, an extensive correspondence has been kept up with the towns and cities. We are very far, as yet, from being made acquainted with the condition of public health in all parts of the State, but each year adds to the amount of this knowledge. In some instances, when it was made known to us that unusual forms of sickness were prevailing in certain localities, a special investigation has been made.

A circular was issued in November, in which the following questions were asked of the correspondents of the Board: —

1. Whether any forms of disease have been specially prevalent.
2. Whether you can discover any cause for such prevalent forms of disease.
3. Whether such causes are, in your opinion, in any degree preventable or removable.
4. Are the local health authorities intelligent, vigilant, and efficient?

In reply to these inquiries, letters have been received from 154 towns. About half of this number reply to the fourth question, but as they are generally from small towns, where the selectmen are the board of health, and seldom concern themselves about health affairs unless small-pox makes its appearance, the information conveyed is not of much value. The remaining ninety correspondents speak of the boards of health of their cities and towns very freely, and for the most part we forbear to quote their remarks. More than half of the number are very uncomplimentary to the health authorities. No doubt can be left on the mind of any one who examines these letters that the boards of health of most of the cities and towns of Massachusetts have no idea of the responsibility which belongs to their office.

[Having been prevented from attending the Conference in May, Dr. Baker, of Michigan, has kindly furnished for publication a statement concerning the Board of Health's work in that State, which will be read with great interest, as showing how much can be done in a short time, — the period covered by Dr. Baker's paper being only twelve months. A valuable paper by Dr. Kedzie, of the Michigan Board, follows Dr. Baker's. We print it from the sheets of the volume for which the author furnished it, in Michigan.]

THE STATE BOARD OF HEALTH OF MICHIGAN.

By Dr. H. B. Baker, of Lansing.

This board began its labors July 30th, 1873. Its officers and members are named on page 216.

In an introductory address on its prospective work, Dr. Hitchcock — senior member, and afterwards President of the board, said: —

"We must be ready to point out the influence of the topography, geology, and climate of the various parts of our State upon the health of its citizens; the importance and intimate relation of drainage and sewerage to the health of families and whole communities; to call the attention of the people to the influence of various kinds of occupations, food, drinks, and clothing, as well as the structure of their public and private buildings, upon the development of certain forms of disease; and most especially to point out the vast importance to the welfare and the perpetuity of the State, of properly rearing, training, and educating the young; and to point out the nature and causes of epidemics, endemics, and contagious diseases, and the means for their prevention or eradication."

After pointing out the probable fact that the expenses caused by preventible diseases were greater than those of war, he said: —

"Here, then, is the work for this board to do: to educate the people in respect to the nature and causation of diseases, and the means for their prevention; to suggest appropriate legislation for compelling, when necessary, the use of those means, and to present arguments for such education and legislation, fortified and made cogent by facts, — well authenticated cases of disease and death directly traceable to ignorance, neglect, or disobedience of the laws of hygiene; and to make it possible by this work that many if not all of the lives and much of the treasure now needlessly lost to the State may be saved."

At the first meeting the board appointed committees of its members whose duty is to give special study to the subjects intrusted to their care. Each committee consists of a Chairman, and the President and Secretary of the board. The subjects and chairmen are as follows: —

1. Epidemic, Endemic, and Contagious Diseases — Zenas E. Bliss, M. D.
2. Sewerage and Drainage — Henry F. Lyster, M. D.
3. Food, Drinks, and Water Supply — Zenas E. Bliss, M. D.

4. Buildings, public and private, including Ventilation, Heating, etc. — Robert C. Kedzie, M. D.

5. Climate, general and by season of year, and as related to age of inhabitants — Henry F. Lyster M. D.

6. Disposal of Excreta and Decomposing Organic Matter — Homer O. Hitchcock, M. D.

7. Poisons, Explosives, Chemicals, Accidents, and Special Sources of Danger to Life and Health — Robert C. Kedzie, M. D.

8. Occupations and Recreations Rev. Charles H. Brigham.

9. Education, — The relation of Schools to Health, the kind and methods of Instruction in use, and methods to be proposed — Rev. John S. Goodman.

10. Geology and Topography; Influence on Health of Forest Trees and their removal, Shade Trees near Dwellings, etc. — Rev. Charles H. Brigham.

11. The Death-rate as influenced by Age, Climate, and Social Condition — Rev. John S. Goodman.

12. Legislation in the interests of Public Health — Robert C. Kedzie, M. D.

13. Finances of the Board — Zenas E. Bliss, M. D.

The board has published its First Annual Report, covering a period of only two months, being for the fiscal year ending September 30, 1873.

This Report contains; 1. Introductory statements; 2. The Law establishing the board; 3. Proceedings for its organization; 4. Introductory address by Dr. Hitchcock; 5. Officers and members; 6. Committees; 7. Statement of expenditures; 8. Circulars issued; 9. Statistics and remarks relative to local boards of health; 10. Three special papers — on "Illuminating Oils," "Poisonous Papers," and "Hygiene of School Buildings." The Report is made by the Secretary. The three special papers are all by R. C. Kedzie, M. D., a member of the board, and Professor of chemistry in the State Agricultural College. Each of these special papers has attracted attention in different quarters. Through the influence of the labors relative to illuminating oils, unsafe oils are not nearly so freely sold in Michigan as formerly. Prominent persons throughout the State have lately commented upon the noticeable fact that since the Report of the State Board of Health, containing the result of Dr. Kedzie's labors, has been published and freely distributed, the newspapers of the State have not contained so many accounts of horrible accidents from the use of kerosene oil, and there can be no doubt but valuable lives have already been saved thereby. In the late Annual Report of the State Insurance Bureau, the Hon. S. H. Row, Commissioner of Insurance, refers to this subject, in connection with the prevention of fires, as follows: —

PREVENTION OF FIRES.

"The State Board of Health, in their active efforts to promote the public health and safety, have done signal service to property holders and fire underwriters by their attempts to sustain and carry out the requirements of the Michigan law relative to the inspection and sale of illuminating oils. It is well known that the use of many marketable illuminating oils is very destructive to human life, and the fruitful source of accidents and disastrous fires. In the valuable paper prepared by Prof. R. C. Kedzie, on the subject of "Illuminating Oils in use in Michigan," published in the recent report of the State Board of Health, it is shown as the result of actual experiment that very much of the oil manufactured in and imported from the adjoining State of Ohio is far below the standard of safety established by the law of this State, and is extremely dangerous. He characterizes the fancy named "French Burning Oil," "Sunlight Oil," or any compound of naphtha or benzine, as a "death warrant in the hands of the user, which a stumble may convert into an executioner at any moment." The Professor closes by saying, "No oil is safe which will give off an inflammable vapor at the highest temperature ever reached in lamps, or which will burn when a flame is applied to its surface at such temperature. Oil that will bear the Michigan test of 150° is safe under all circumstances." The mass of evidence he submits, and the favorable comments of the press of this State and other States, cannot fail to arrest public attention, and, among other designed benefits, there must result a decrease of accidents and fires."

The publication and distribution of the article on poisonous papers has had the effect of bringing to light many cases of obscure forms of lingering disease in persons occupying rooms, the walls of which were covered with paper colored with arsenical pigment. It is becoming a matter of surprise, even to physicians who have given the subject most attention, to find how generally these poisonous papers are distributed, and how many cases like those heretofore supposed to be due to that indefinite and unknown influence called "malaria," recover on removal from rooms where the patient is subjected to the dust, and possibly other emanations, from arsenical pigments.

In the paper on the "Hygiene of School Buildings," Dr. Kedzie considered faults of construction, including inadequate provision of floor space, lofty school-buildings, necessitating stair-climbing, some of the evils of large schools, and, more particularly, the very defective methods of warming and ventilating school-rooms. It is too soon yet to estimate the full influence of this effort. School-houses are not readily torn down and rebuilt. It has undoubtedly had some influence on the construction of new buildings, and, in some instances, in modifying those previously erected. Michigan was already quite liberally supplied with school-buildings, which were perhaps as well planned and constructed

as those of any other State; but upon analysis of the air in about fifty of the most promising school-rooms in the State, Dr. Kedzie found that in none of them was there adequate ventilation, while in most, the proportion of carbonic acid ranged from twenty to forty-three parts in 10,000 of air, whereas it should not exceed eight parts.

If, as has been remarked by Dr. Bell,[1] "progress in measures for the protection of human life consists in exposing the consequences of their neglect," then Dr. Kedzie has in this paper contributed largely to progress in measures for the protection of human life from the danger of slow poisoning in school-rooms — a danger coextensive with our liberal educational system, and one threatening injury to the entire rising generation.

The board meets at Lansing on the second Tuesday in each quarter. At the meeting in April last, Dr. Hitchcock, the President, delivered his annual address, choosing for his theme a subject in the line of the legitimate work of the board, namely, the "Entailments of Alcohol." A few copies of the address have been printed in pamphlet form, and the paper will appear in the next Annual Report. At the meeting in July, 1874, Prof. Kedzie read a paper on "Artificial and Adulterated Table Syrups," giving results of numerous analyses of samples obtained from the most respectable dealers in the State. These analyses revealed some startling results, and it is doubtful if even the manufacturers themselves have any conception of the amount of certain of the dangerous impurities which these manufactured syrups contain. These analyses were undertaken by direction of the board, on account of the serious poisoning of a family through use of some of this syrup containing sulphate of iron and free sulphuric acid. This paper will appear in the next Report of the board. Dr. Kedzie also presented a second article on "Poisonous Papers," which will appear in the Report. Dr. H. F. Lyster presented a paper on "Drainage for Health," which will also appear in the Report. The Secretary presented a paper on "Epidemic Cerebro-Spinal Meningitis," which disease has prevailed in certain parts of the State during the last spring. It is, mainly, a statement of the facts collected relative to cases and coexisting conditions, and an attempt to study the cause of the disease, especial attention being given to an examination into the possibility of its being due to a fungus disease of grain used for food, as suggested by Dr. Richardson, of London. The paper will appear in the next Report of the board, which will be published as soon as possible after the close of the fiscal year — September 30, 1874 — and which, it is hoped, will contain other material in addition to that mentioned herein.

[1] In address, as Chairman of Section on State Med. and Public Hygiene, before Am. Med. Association, at Detroit, June 5, 1874.

Thus far, the members of the board have had reason to be gratified with the many expressions of appreciation of their labors, which, excepting those of the Secretary, are entirely gratuitous — a free gift to the people. The hope is cherished that the board may continue to be a powerful and well-recognized influence for good, and that its work for the citizens of Michigan may, in the language of Parkes, render their "growth more perfect, decay less rapid, life more vigorous, and death more remote," and thus realize the anticipations of its projectors.

NOTE TO DR. BAKER'S PAPER.

Under date of August 14th, Dr. Baker, Secretary of the Michigan Board, writes as follows to the editor of the Journal: —

"*Dear Sir:* In response to your request for information concerning sanitary matters in our State, I have written out a short history of our State Board of Health, inasmuch as that covers nearly all the sanitary work that has come to my notice. I must, however, make two exceptions; first, the work by the Section of Public Health in the American Medical Association, for which Professor Kedzie prepared a valuable report, which will probably appear in the Transactions of the Association. The second exception is the work of the Michigan State Medical Society, which has for several years been active in the cause of public health. The subject of Vital Statistics was urged long before I took it up, by members of the society, as long ago as 1859. At the meeting last June, Professor Kedzie presented a very valuable report on "Ventilation of the Houses of the Poor." The Transactions are now being printed. Dr. Kedzie's paper is illustrated by an engraving, a copy of which I inclose to you, and as I cannot yet send his paper, I have inserted explanations on the margin. Does it not show philanthropical spirit in the physicians of Michigan, that they inaugurate such labor in the cause of public health, and print and engrave, at their own expense, reports and illustrations such as this by Professor Kedzie?

"The physicians of Michigan are cordial in their support of the State Board of Health, which has depended largely upon their efforts for its organization.

"I am at present quite busy at work on the 'Vital Statistics of Michigan, 1871,' which is going through the press, — having been delayed by press of work in the hands of the State printer, and somewhat by my own time being so fully occupied with office work for the State Board of Health."

Dr. Baker subsequently forwarded Professor Kedzie's paper, which is given below, without the useful engraving alluded to.

VENTILATION OF THE DWELLINGS OF THE POOR.

By R. C. Kedzie, M. D., of the State Board of Health, Lansing, Michigan.

[From the Transactions (1874) of the State Medical Society of Michigan.]

The importance of ventilation of all inhabited rooms is becoming more generally recognized. Not alone the abodes of luxury and wealth require ventilation, but the dwellings of poverty and want demand even more careful consideration, from the fact that they are often overcrowded and frequently imperfectly warmed. If the man of wealth is poisoned and killed by foul air, the poor man is no less amenable to its destroying influence. By all means ventilate the rich man's hall; by no means leave the poor man's cottage deprived of this prime condition of health and life.

The ventilation of the dwellings of the poor is beset with many and serious difficulties; and foremost among these we find the element of cost. Say what we will about the abundance of pure air, that it costs nothing because all we have to do is to admit it freely into our rooms, without money and without price, the poor man *knows it does cost*, and no discussion of the subject which ignores this element of cost will be of any service to the class we seek to benefit. Perhaps the most favorable light in which we may expect the majority of this class to regard the matter of ventilation is to consider it an expensive luxury. When a man is fighting the wolf hunger from the door, he will naturally regard any diversion of his energy with suspicion, if not with hostility. To regard all money expended for securing fresh air as wasted, I consider a serious mistake, and if this class can be induced to try some economical method of ventilation, I think they will be so well satisfied that they will be willing to expend more money for more perfect ventilation.

Let us look a little more carefully into this element of cost. It is impossible to keep the air of any inhabited room pure without renewal by fresh air; but fresh air, to be conducive to good health, must be properly warmed. "Though foul air is a slow poison, we must not forget that a blast of cold air may slay like a sword."[1] The very instincts of men teach them to avoid cold in their dwellings, preferring foul air to chilly air. But the warming of a large volume of fresh air involves expense for fuel, at least. To introduce a regulated amount of air into a room, some apparatus for ingress and egress must be provided, and this involves expense.

Air cannot be made to enter a room without some provision for the escape of a corresponding quantity of air from the room. The ingress and egress of air must bear a constant relation to each other. But to cause a certain quantity of air to enter a room, and a corresponding quantity to leave the room, is

[1] Dr. R. Angus Smith.

not the whole of ventilation. The fresh air that enters the room may rapidly escape from the room without diluting the foul air to a healthy standard. The kind of air that escapes is as important an element of ventilation as is the quantity and quality of the air that enters the room. The quantity and the quality of the air that enters the room, and the quantity and quality of the air that escapes from the room must be equally regulated by scientific principles. This will necessitate the use of some motive power that shall at the same time control the influx and efflux of air. To provide an opening by which air may enter, and another by which it may escape, is not enough. A teacher in Massachusetts sarcastically remarked about a ventilator, that "the air was supposed to have some degree of intelligence, and to know that the ventilator was its proper exit!" Whether or not, in the physical millennium which development promises us some millions of years hence, the air will reach such a degree of intelligence that it will know where is its proper exit, it is certain that we cannot safely trust the degree of intelligence which the air in this State now possesses. But, as I have already stated, to secure this control of the motion of air will require the use of means, and this involves expense. In health, as in other things, "the destruction of the poor is their poverty." Pure air, adequately warmed, necessarily involves expense. One difficulty, therefore, in securing ventilation in the dwellings of the poor is this element of cost. No system of ventilation in such habitations that involves large expenditure can be successfully introduced in such dwellings simply from pecuniary considerations. Any system which we recommend for such dwellings must be limited by this unavoidable consideration.

Any system of ventilation must also be, as far as possible, self-acting. In the hurry and press of care and work, no time or thought will be given to the working of any complicated system which is designed to remove an evil which does not immediately and strongly appeal to the senses, as does the feeling of cold, for example.

The heat in most dwellings is badly utilized. The hot air is at the top of the room, where people do not live, and the cold air is near the floor where they do live. People who dread the cold, and at the same time seek to economize fuel, will not admit fresh and cold air at the floor-level merely to remove so intangible an evil as foul air. The stupefying influence of foul air blunts the senses to its presence, and the injurious effects are not immediately witnessed. The evil that arises from such foul air is none the less certain because it is not immediately perceived, but the senses are blunted to its perception, and the ill health arising from it is attributed to other causes. It requires a certain degree of intelligence in a person to feel the necessity of ventilation.

I will take the simplest possible arrangement of a dwelling, where the sitting-room, dining-room, and a kitchen of a whole family are all comprised in one room, heated only by the kitchen stove; perhaps it is also the bed-room of the whole or part of the family. The products arising from the breath of the occupants, the results of combustion in one or more lamps, the gases and vapors evolved by cooking and other domestic operations, with no attempt at ventilation in a room made as air-tight as possible, all conspire to make an atmosphere exceedingly unhealthy. What advice shall we give such a fam-

ily? Tell them to open the window and let in pure air? They will ask, "Would you freeze us entirely?" or sarcastically inquire if you were brought up in a barn. They know and dread the cold, and feel the imperious necessity of keeping warm; they do not feel the equal necessity of breathing pure air.

In the imperfect but economical ventilation which alone we may hope to secure under such circumstances, I propose to utilize the heat which so largely goes to waste in all such dwellings. In the simplest case we may use the layer of hot air at the top of the room to warm the incoming pure air. I would convert the waste heat at the top of the room into a useful product by using it to warm fresh air as it enters. The usual recommendation to place the ventilators at the top of the room, "because they will act better," is a waste of precious material in dissipating the warmer air. It is very much like the housewife throwing away the cream that rises to the top, while carefully preserving the skim-milk that remains at the bottom. If we must drink the skim-milk, let us enrich it by *stirring in the cream* instead of throwing it away.

I. Such a room will of course have one or more windows. Let us select the *sunniest window* for purposes of ventilation. I believe it is very important to bring the air in *directly from the sunshine*, if possible. Let the upper row of glass in the window be made double, with at least one inch space between the external pane of glass and the internal pane; cut away the lower inch and a half of the external pane and the upper inch and a half of the inner pane, or let the glass for this upper row be one and a half inches shorter than for the rest of the window, and arrange their free edges as I have indicated. The external air will enter at the bottom of the external pane, pass up between the external and internal panes and enter the room over the top of the internal pane with an upward direction, thus mingling first with the overheated air at the top of the room, and thus becoming warmed before it blends with the mass of the air in the room; and so persons are not conscious of a draught of cold air, which is the fatal objection to window ventilation.

So one may ask, Why not lower the upper sash and admit fresh air in that way? Because this cold air will flow downwards at once, and not be carried by any previously acquired ascensional motion to the hot air at the top of the room. In this case the occupants of the room, feeling the cold draught, will close the window and thus terminate that kind of ventilation. It is in vain to urge people to secure pure air by sitting in a cold draught. They will not do it if they can prevent it, and they ought not. But if pure air can be admitted without injuriously altering the temperature of the room, possibly they will accept the change.

Provision can thus be made to admit a certain amount of pure air into the room. The only provision for the escape of foul air from the room is through the stove and stove-pipe. This is still more unsatisfactory than the provision for admitting fresh air. If the chimney comes down to the floor, a single brick may be removed near the floor level, and thus a foul air flue be opened into the chimney. If a larger opening is made, it may injuriously affect the draught of the chimney, and thus contaminate the air in the room by smoke and the products of combustion in the stove, and the last state of that room be worse than the first.

By securing in this way an influx of pure air at the top of the room, and an efflux of foul air at the bottom, we secure *a* system of ventilation, — very imperfect, to be sure — but self-acting, cheap, and a decided advance on no ventilation.

II. My second plan involves more machinery, and of course increased expense, but I think it will give more satisfactory results. In this method I would utilize the heat of the stove-pipe, both for warming fresh air and as a motive power to remove foul air. Suppose the stove-pipe is six inches in diameter; surround this by another pipe twelve inches in diameter, resting at its lower extremity on the stove, so as to completely close this end of the shaft, and let a vertical diaphragm pass from the stove-pipe on opposite sides, passing outwards to the external pipe, dividing the space between the two pipes into two equal shafts. Where the stove-pipe is bent at right angles (at the elbow) to enter the chimney, cut away one shaft so as to leave the upper extremity of this shaft open; the other shaft is prolonged with the stove-pipe so as to enter the chimney. We will call the first shaft the fresh air shaft, and the second the foul air shaft. Let a pipe six inches in diameter pass from the side near the bottom of the fresh air shaft, behind the stove, to the floor, and thence horizontally through the side of the building to the external air, so that pure air may freely enter this fresh air shaft. Let a pipe six inches in diameter pass from the side near the bottom of the foul air shaft behind the stove, and terminate by an open mouth six inches from the floor. The waste heat of the stove-pipe will warm the air contained between it and its inclosing pipe, and this air will rise. The pure air in the fresh air shaft will ascend and discharge near the top of the room, constantly gaining temperature in its passage along the outside of the smoke pipe, and mixing with the hot air at the top of the room, will mingle with the mass of air in the room without producing discomfort from cold draughts.

The air in the foul air shaft will also ascend and be discharged into the chimney. But this air is taken from the room and withdrawn near the floor level, and hence the coldest air in the room is constantly discharged by this ventilating shaft. In this way we utilize the waste heat of the smoke pipe both for warming fresh air and for removing foul air. The same method of ventilating can be applied to any stove, but in this paper I have purposely confined my discussion to the ventilation of the living room of a family in most indigent circumstances. I am convinced that a room may thus be somewhat ventilated without any sensible increase of cost for fuel.

Both plans of ventilation which I have presented might be employed in the same room. Thus we might employ the double glass fixture in the window and this system of fresh air and foul air shafts in the same room, and thus secure still better ventilation than by either one alone. If any one objects that this system of ventilation falls far below the requirements of the case, I freely concede the justice of the criticism. I only claim for it this merit, that it will do something to correct a great evil, and that its cost does not place it beyond the reach even of persons in indigent circumstances. It is an effort to increase health and comfort in the dwellings of the poor.

STATE AGRICULTURAL COLLEGE, LANSING, *April* 25, 1874.

THE MARYLAND BOARD OF HEALTH.

IMMEDIATELY upon the organization of this, the latest established of the Health Boards, Dr. Howard, the Secretary, issued circulars, the first being dated May 7, 1874, informing the physicians of the State what investigations the board means to make this year. From these circulars we quote as follows: —

At the late session of the Legislature an Act was passed establishing a State Board of Health, among whose specified duties are the following: "They shall make sanitary investigations and inquiries respecting the causes of diseases, especially of epidemics, the sources of mortality, and the effects of localities, employments, conditions and circumstances on the public health; and they shall gather such information in respect to these matters, as they may deem proper. They shall devise some scheme, whereby medical and vital statistics of sanitary value may be obtained, and act as an advisory board to the State, in all hygienic and medical matters. They shall make special inspections of public hospitals, prisons, asylums, and other institutions, when directed by the Governor or the Legislature." The board respectfully ask your cooperation in this work. Should you be cognizant of any preventable causes of disease in your neighborhood, such as defective drainage or sewerage, improperly ventilated public buildings — hospitals, alms-houses, school-houses, etc., — the existence of contagious disease, or any other facts bearing upon the health of the community, the board will be pleased to hear from you, and, if deemed advisable, will have an inspection made and take steps to remedy the evil. Prompt information of the outbreak of any epidemic or endemic disease is desirable. The board are specially desirous of collecting all facts bearing upon the subjects of malarial and typhoid fevers and phthisis — their relations to conditions of soil and climate, vegetation, drainage, etc., etc., — their relative intensity in different sections and seasons. Any *facts* which you may communicate, as well as your *opinions*, will be acceptable.

It is the desire of the Board to establish a regular correspondence with every section of the State, and they will be obliged for a list of the names of all, both physicians and others, in your district or county, who take an interest in sanitary, or in statistical matters. If you will consent to act as a regular correspondent of the board, you are requested to communicate the fact, with your full address, and blank forms will be sent you; so that your labors will not be burdensome, but limited, if you so desire, to filling up the blanks and returning each month, or every three months. By collecting a large number of facts from different sources and seasons it is believed most important deductions may be drawn. In addition to this method of collecting data,

the Board hope to be shortly enabled to perfect a plan for a thorough registration of all births, marriages, deaths, etc., throughout the State. Do you think it practicable to have the Registration Act of 1865 effectively carried out in your county or district?

With the view of collecting information upon the subject of MALARIA, from the various sections of the State, the accompanying Forms are issued, for monthly returns to this office. In localities where malarial diseases are *very rare*, they may be used for Quarterly Reports, instead of Monthly. In order that all the conditions may be understood, it is desirable that you shall give, with as much accuracy as possible, a description of the field of your practice; for which purpose "Form No. 1" is to be filled in, and sent with your first Monthly Report. It will, of course, be preserved, and your subsequent returns will be studied in connection with it. It has been deemed best to confine the reports to a few of the more important questions relating to malaria; and, if the practitioners of our State will devote a few moments at the close of each month to recording, in these simple blank forms, the results of their observation and experience, it is believed very important deductions may be drawn from the collection, comparison, and systematic study through a series of months of the facts and opinions thus brought together. But little time and labor will suffice for you to fill out the blanks; your visiting lists for the month showing at a glance all the facts needed. It will be noted the *number* of your cases, deaths, etc., is not asked, but simply the proportional number of malarial to other cases; their percentage only, is needed for our purposes. It is requested that the answers be concisely stated. More extended remarks, either relating to the questions asked in the Report, or to other *facts* which may have arrested your attention, or your *opinions* as to the causes, pathology, treatment, etc., etc., of malaria, may be made upon a separate sheet, to accompany the Report.

E. LLOYD HOWARD, M. D., *Secretary State Board of Health.*

The forms referred to are as follows: —

FORM I.

(To be filled in and returned, by 1st of August, to DR. E. LLOYD HOWARD, *Secretary State Board of Health, Baltimore.*)

1. What section of the State is embraced in the usual limits of your practice?

2. What is the character of the surface of the country — flat, rolling, or hilly?

3. What is the geological formation; or character of the soil, subsoil, etc.?

4. Are there marshes, or water-courses, mill-ponds, etc.; and of what character and extent?

5. What is the character and extent of drainage, — both surface, and subsoil, — natural and artificial?

6. What is the character of the drinking water, — whether spring, pump, or running streams?

7. Are there any special causes, or predisposing causes, of disease, — as improperly located or conducted slaughter-houses, wet cellars, etc., — in the towns or villages?

In the past twenty years have malarial diseases increased, or decreased, [illegible]uency or in severity, in your district? And to what do you attribute [illegible] increase or decrease?

FORM II.

1. During the month of 187 was the average temperature seasonable, or unusually high, or low?

2. Was there more or less than the usual rain-fall?

3. Was there more or less malarial disease in your section of country than is usual at this season of the year?

4. During the month of what was the proportion — per cent. — of *uncomplicated malarial* cases to all the other cases of disease in *your own practice*?

5. What proportion of these cases had *never before* had malarial disease?

6. During the month of what was the proportion — per cent. — of cases (to all the other cases in your own practice), in which the malarial element was seen to complicate, or modify, other diseases?

7. During the month of in your practice, which was the most common form of malarial disease, — whether intermittent, remittent, etc?

8. Did any of your malarial cases run into a typhoid condition? What proportion of them?

9. During the month of what proportion of your malarial cases terminated fatally?

10. During the month of could you form an opinion, in any of your cases of malarial disease, as to the influence of any local condition in causing the disease, — such as a marsh, a water-course, a stagnant pond, an obstructed drain, a wet cellar, deficient drainage, etc., etc.?

In response to these circulars, the Maryland Board is already beginning to receive important information.

ANIMAL VACCINATION.

STATEMENT OF DR. HENRY A. MARTIN, MADE AT THE GENERAL MEETING IN BOSTON, MAY 14, 1873.

[DR. SMITH, in his paper read at the Health Conference May 22, 1874, spoke of the protective power of vaccination. The Fifth Number of the Journal of Social Science contained a paper on Public Vaccination, prepared by Dr. F. P. Foster of the New York Dispensary, upon which, when read, another expert on vaccination, Dr. Henry A. Martin, of Boston, made some comments which seem to merit publication here, from the interesting statements therein. It will be understood that Dr. Martin and not the Association, nor the editor of the Journal, is responsible for these statements and opinions.]

Dr. Foster had said, among other things, —

The subject of vaccination, as being, beyond all comparison, the most efficient means of protection against the direst scourge which ever afflicted the human race, is always of paramount interest to the community at large. This interest is intensified whenever, as during the last three years, small-pox is extensively prevalent; and at such times, especially, it seems fitting that we should consider in what respects, if any, we have been remiss in the administration of this great blessing, and how we may enlarge and perfect its management. My experience in charge of the Vaccine Department of the New York Dispensary, during the last seven years, has brought to my knowledge many facts bearing upon the questions which arise in connection with public vaccination, and upon these I found my apology for appearing before you at the present time.

We are warranted in concluding that animal vaccination is a safe and efficient preventive of small-pox, and, as such, it is the duty of those charged with public vaccination to make use of its popularity to enable them to vaccinate the greatest possible number of people. . . . . Its disadvantages weigh but little against the popularity of the animal virus, whereby almost the entire community may be prevailed upon to submit to vaccination, and are more than counterbalanced by the certainty with which large quantities of animal lymph may be supplied at short notice. At a certain time last winter small-pox was epidemic in Buffalo, Boston, and Baltimore, besides numerous other smaller places, so that our institution was called upon to supply an unusually large amount of virus. Just at this time I received, from one of those cities, a telegraphic order for quill-slips sufficient for six thousand vaccinations. I sent the whole amount within twenty-four hours after the dispatch

was received. Can it be supposed that such an amount of humanized lymph could have been collected in so short a time without calling in the aid of unskilled assistants, and without an undue relaxation of that careful discrimination which should govern us in selecting our sources of vaccine?

Dr. Henry A. Martin said: I wish this matter had come up in some way so it could have been discussed at length by those who are capable of discussing it. There has been an immense number of facts elicited in the recent vaccination of the city of Boston, and a discussion of several hours could have been held very profitably, upon the facts that have recently come into our possession. These will be forgotten soon, and pass into the sea of oblivion with everything else. I feel under great obligation to Dr. Foster for his paper. I hope it will be published, for it cannot do anything but good. I subscribe to all the publications of the Anti-Vaccination League, and keep a constant order for every publication that is opposed to vaccination. They are written in a style to take the people; simply dealing in downright foolish assertions; and no matter how often they are disproved, they rise up again and again, and are never killed. The doctors, on the other hand, publish voluminous books with enormous rows of statistics, which nobody ever reads. If small pamphlets of three or four pages, giving results, should be published, — and not downright assertions merely — the true and absolute results of those piles of statistics, — they would be read, and would make an impression. But if men have to wade through a dozen pages of statistics before arriving at any results, such publications will be useless.

The statistics on this subject are indeed voluminous. I have small-pox literature comprising 1,500 titles, and I am within the truth when I say that not one gentleman in 5,000, in the medical profession, has ever heard of one in fifty of them. They are accumulating all the time; men pile up statistics, few ever read them. My attention to this specialty has led me to read them, and I think it may be affirmed with positive certainty (always allowing for the rare exceptions found to all general rules, and in medical matters more than in any other), that a child vaccinated in infancy with good matter from a heifer, either by animal vaccination, an original case of cow-pox, or good humanized virus, not too far removed from the cow, is absolutely protected until ten years old and almost absolutely until fifteen. I know there are plenty of cases, — I have seen them myself, — of children, four and five years after vaccination having the small-pox. I have investigated every one of these cases that came under my notice, as thoroughly as I could, and when I could get at the facts (and I generally could), I found that the vaccination was not a good one; it was one of the innumerable cases of spurious vaccination which exist in this commu-

nity in consequence of the ignorance and carelessness of the medical profession in what they consider a trifling and unimportant matter. Just as Shakespeare is beyond all other poets, so is vaccination beyond any other duty of the physician.

During the last seventeen years I have received 35,000 letters from physicians, nearly half of them during the last two years, and the monstrous prejudice and ignorance that is shown by many of these men is one of the most shocking signs of the times in the medical profession. Men who had been in practice twenty or thirty years, would write and ask me questions that they ought to have known the first week they were students. I have known hundreds of them to vaccinate with matter that they got they did not know where; with some scab that came from some dealer; and with that they would vaccinate a person who had been already vaccinated more than once. That would result in a miserable, imperfect, spurious vesicle; and from that they would charge hundreds of points, and perform hundreds of vaccinations. My experience leads me to say, — that of all the people vaccinated once in the United States thirty per cent. might as well not be vaccinated at all.

I have but one objection to find with Dr. Foster's paper, and I have found it with other papers he has delivered, — that he does not mention the fact that I introduced animal vaccination into America in September, 1870, having sent an agent to Paris expressly for the purpose of investigating the whole matter and bringing me all the published documents and information on the subject that was attainable. He did so, and had every facility furnished him by the French Government. He brought all the publications and autograph letters from various gentlemen, and arrived here in September, 1870. I would premise that, perhaps seventeen years ago, after consulting Dr. Ware and Dr. Channing, and a number of other gentlemen then eminent in the profession, I went into the specialty of preparing vaccine. I had become a great advocate of the humanized vaccine, and was an opponent of the animal vaccine; when my agent went to Paris, I sent him an account of the large number of inquiries I had received. My full conviction then was, that after I had tested the animal vaccine I should find it in nowise superior to what I was using. I vaccinated three heifers, and tested it on children. The first series of experiments I made convinced me, as far as one experience could, of the infinite superiority of the animal vaccine to the humanized, as shown in the perfection of the disease, the development of it, the size of the vesicles, etc.

I would say that Dr. Foster obtained his supply of virus from me; ten weeks after I had introduced the virus I sent him supplies, with

long letters of direction, and expressed great gratification at having so able a colleague in the prosecution of what I considered a very important matter. In his first publication Dr. Foster acknowledged this; since that, he has never mentioned my name. The National (Government) Vaccine Institution in London, is the most famous in the world; it publishes reports annually, and its boast is, in one number, that it issued in a single year 263,000 points or charges to the people of Great Britain and the colonies. From my establishment, having no claim to any such celebrity, we issued during the year ending the 1st of February, 1873, 384,000 points of animal virus. The city of Boston I supplied with 80,000; Washington with 60,000; Erie, Pa., with 35,000; Buffalo with some 8,000 or 10,000, and Dr. Foster also supplied them. I have also supplied each of the cities and towns in the neighborhood of Boston with from 2,000 to 15,000 points of animal virus. I sent it all out with a statement that it was impossible for us to tell the exact strength of the virus, when we sent it away; that this could only be ascertained by testing it; that the virus from one heifer would be less vigorous than that from another, and the only remedy I could suggest was the offer of replacing all virus which was properly complained of. Now and then a heifer would afford virus that would give me trouble, and I would have to replace it, but the proportion was very small. Yesterday (May 13, 1873), my son took virus from the 383d heifer vaccinated since September, 1870. During the late epidemic we vaccinated 20 a week. These heifers are from 4 to 7 months old. Some are as good at a year as at 4 months. The result I have arrived at in a sufficient number of cases convinces me of the immense value of animal virus.

During the last winter, in my own office, with my own hand, I vaccinated more than eleven thousand people. I was engaged for four months, from eight in the morning until after nine at night, with little intermission. I kept a partial count of the number I vaccinated; for the first six weeks I kept a full count; and when I say more than eleven thousand people, I know that I am considerably within bounds. I, of course, saw all their arms; examined their scars as evidence of previous vaccination; and asked what questions were necessary. I found that in all the people vaccinated twenty years ago, and longer ago, the scars were generally clear and distinct, and indicated that they were vaccinated with matter that had not deteriorated. Those within the last twenty years — a very considerable proportion of them, certainly as many as 80 per cent., presented scars in no wise indicative of perfect vaccination. Now and then an arm presented itself that was remarkably good. But I almost invariably found that these patients were vaccinated in England or Germany, particularly in England. It was the terrible deterioration of virus, as seen in practice, that led me to go

into the specialty. I could hardly get a particle of lymph in the United States. I sent to Philadelphia, to New York, and even to Washington, supposing then that the government in this country might spend a dollar or two in such a matter. But I found there was no government establishment for supplying virus. I sent to various places in Europe, and from the British National Vaccine Institution got what was the best I had then seen, and used that for eleven years, before I began with the animal virus which I now exclusively issue.

A person well vaccinated once in infancy is absolutely protected until ten years of age, and almost absolutely until fifteen. I never saw, in all my practice, a case of what could be called varioloid or small-pox in its full developed form, in a child properly vaccinated under twelve years of age. I have seen a few such cases of varioloid, but there was evidence of want of perfection in the vaccination. I have seen a hundred cases of children with the small-pox who had nominally been vaccinated, but I found if they had been vaccinated at all that they were spurious vaccinations. A person vaccinated in infancy should be again vaccinated at some time after the age of puberty (which may be stated at the age of ten or twelve years). So far as my experience goes, any person so vaccinated after the age of fifteen, if the vaccination has taken, is protected for life, certainly until fifty years of age. If a person lives to fifty years, I should recommend a third vaccination.

I am not one of those who believe in the utter want of efficiency of the humanized virus. I know that good humanized virus is a protection from small-pox; but after a certain number of removes from the cow there is a change, a deterioration, a weakening of the virus, which can be absolutely determined and proved in a way to convince any medical man. After it reaches such a point it is certainly unprotective, or the protection is only for a very short period. I have been in the habit of saying to physicians, "I do not believe exclusively in the animal virus. You know what it is. You know it has not been through the human system. If it is carried through one or two, or ten or twenty perfectly healthy human removes I do not think it loses its protective efficiency to any degree." But then comes in the phantom of vaccinal syphilis. The popular idea is that an immense number of diseases are transmitted by vaccination. Medical men have to contend with all sorts of notions of this kind, for the most part entirely without foundation. The one black spot is vaccinal syphilis. When I introduced animal vaccination into this country, it was my intention to thoroughly investigate that subject, and then publish what I had to say about it clearly and plainly. I think I ascertained a good deal about it. I talked with various people and investigated the subject pretty thoroughly. Presently one, two, three, four, or five medical journals began to attack

animal vaccination; there were gentlemen inimical to me who thought they would prevent me from getting too much reputation, and I have therefore avoided writing about vaccinal syphilis for the present. One brings about him a perfect tempest when he says anything about this matter of vaccinal syphilis.

The Vaccine Institution of London, coming out with all the pomp and flourish of an enormous institution of very learned men, with a corps of some thousands of paid vaccinators, has announced over and over again that they never saw a case of vaccinal syphilis; that from all the prodigious quantity issued by them, not a single case ever occurred. Lately there was a gentleman who went to one of the stations of the Vaccine Institution of London, to get a baby from which he might vaccinate a number of patients. He went there and found some eighteen or twenty women with their babies, waiting to have virus removed, and got permission to take one of the children. He made a bargain with the mother of the healthiest child there, and from that baby he vaccinated fourteen adults and children. The vaccination all took. Good vesicles formed, and went through their course perfectly. The crust dried, and fell off, and left clear and perfect vesicular scars. In the course of about a week afterwards, in eleven of these patients certain appearances came on which induced the people to call on various surgeons, who treated them in various ways. None of the surgeons had any idea of what these appearances were. Of course they could not come from the vaccination, because all the officials in England said that could not be possible. But by and by Dr. Hutchinson saw one of these cases, and recognized it as syphilis, — these were chancres. He hunted them from one to another, until he found the whole eleven, and then reported them to the authorities of that institution. They commissioned him to attend those cases, which were put under his treatment. And the reports which are given by the Doctor show clearly and undoubtedly that they were syphilis; the whole eleven of them were tainted constitutionally more or less severely. The point I am coming at was that these eleven cases were treated by various medical gentlemen, not one of whom knew vaccinal syphilis when he saw it. I should like to know what sort of evidence on this point can come from men who cannot recognize a disease when they see it?

This child was followed up, and at last accounts was dead with syphilitic disease. Dr. Hutchinson went on; and, by and by, reported two more cases. But the memory of the cases he had reported before had got a little dimmed; and the medical gentlemen were even more incredulous. One of the cases was a lady, who was so foolish she wanted to be vaccinated from the heifer matter. Her surgeon went out to find it but could not; he came back and said, "I cannot get any, but I have

matter from a beautiful child." With this he vaccinated her; and she had vaccinal syphilitic chancres. Then Englishmen got up and said, "We had better have a service of heifer vaccination." And one of the most distinguished gentlemen in London said that no man would be morally justified in the face of such facts, except in the use of matter which had been through the animal. Dr. Ricord long opposed this notion of vaccinal syphilis. But he is one of the few men who can yield when he is beaten. He showed that by giving up the theory of his life-time, like a man. He denied, in 1856, that syphilis was transmissible in this way, but in 1862 he began to doubt his theory, and in 1863 he declared that his mind was changed, and delivered a lecture to that effect.

During our war great difficulty was found in getting vaccine virus. The custom was, among the surgeons, to vaccinate a soldier with such matter as they could get, and from the scabs taken from this man's arm they vaccinated the other soldiers requiring it. I was in the army for two years as medical director and staff surgeon, and had opportunities on a large scale to see the result of this sort of vaccination. Any gentleman who does not believe in vaccinal syphilis, could he have been in the army of the Southwest and seen thousands of cases of vaccinal syphilis, and hundreds of deaths from the occurrence of that taint in people reduced by army life, I think would have ceased to be skeptical.

Dr. Foster has spoken of the advantage that animal vaccination offers in times of vaccination panic. Such quantities of virus could never be supplied in any other way. During the height of the late epidemic I had, in Boston, at one time, ninety-six heifers. It was not necessary to have so many, but I was afraid I might run out, and I chose to have too many rather than too few. And with that stock I could have supplied, in six days' notice, twenty or thirty thousand points of virus very easily. And during the height of the epidemic I supplied every day from five to seven thousand points of matter.

I would caution my hearers against the fraud which has been carried on to a great extent by physicians who wished to save money. Dr. Foster has said the virus is expensive. It is, and must be. During the epidemic there was a great demand for "Dr. Martin's virus." Physicians were always asked whether they had it; and they always had it; but not more than half of them ever got it. There came to me a nice old gentleman from a town near Boston, and said he, "I have been buying a good deal of virus of you, I charge two dollars, and I thought I would come and ask you how all the other doctors are vaccinating with it and charging only fifty cents?" He gave me the names, and not one of them had a single particle of my virus at that time. That was before I had an agent, and when I knew every point

that went out. So I gave the gentleman a certificate that he alone had had the virus, which immediately satisfied the selectmen of the town in regard to his honesty. I have spoken about syphilis being transmitted. Of course that is impossible by matter that has only been carried through the cow. But if a case should occur in a person vaccinated by one of these dishonest persons, it would be no proof that that was the cause of it. It has been the practice of some gentlemen to get a few points and vaccinate patients, and then use the virus from them calling it animal virus. The moment it has passed through one system it is not animal virus, and is liable to transmit disease.

Erysipelas is another disease which frequently follows vaccination, and is supposed to be connected with it. But erysipelas may follow any wound, no matter how slight; from the puncturing of the ear for an earring, or from a slight burn, the size of a pea, on the leg of a child I have seen repeated cases from scratches of pins and needles, and I do not think it is more apt to follow vaccination than a simple wound. During twenty-nine years' extensive practice of vaccination I have seen, in my own practice, nine cases of vaccinal erysipelas, properly so called, that were all let alone very carefully and that all recovered. I have been aware of some cases, actively treated, that died. I think a large proportion of those that died, died from the treatment and not from the erysipelas, which is not a dangerous disease, if properly let alone. But a remarkable thing, and one which I did not expect at all, is that in all the vaccinations made with my matter, not a single case of erysipelas has been reported; and yet, during that time, I have been aware of nineteen cases of vaccinal erysipelas occurring in the immediate vicinity of Boston, three of them fatal. In my own practice I have never seen a case of erysipelas in any form following the cow-pox vaccination, and I have made ten times as many vaccinations with it as with any other.

Dr. Foster alluded to another very interesting matter, of immense importance to the public, the fact that a person may be perfectly protected by the first vaccination and afterwards get the disease and get it fatally. I have seen in the army particularly and also in civil practice, a great many cases illustrating that perfectly. One such occurred last winter, which will illustrate the matter very well. Dr. W. has had an enormous practice in small-pox, and made it a specialty during the epidemic. I asked him, when he had a case of hemorrhagic or black small-pox to let me know, for I wanted to see it. In a few days he came and told me a neighbor of mine had it. This man had been a physician in early life, but was now a clerk in a drug store. Six weeks before his death, one of the public vaccinators called in and wanted to vaccinate him. He replied, "I have been vaccinated, I have two

enormous scars on my arm. I am a physician, used to practice medicine, and have been exposed to small-pox again and again," and he was not vaccinated. Five weeks afterwards he was taken with headache and could not come in to business. He sent for a physician who did not recognize the disease for four days. He had undoubtedly been exposed over and over again and had been perfectly safe, but his protection passed away. I have known two men who have been in a small-pox hospital, who refused to be vaccinated and who got the disease.

Dr. Foster alluded to the practice of applying more vesicles in vaccination, to make up by number of vesicles for the want of intensity. I think that is a very poor remedy, but it has some efficacy. Four or five vaccinations with deteriorated matter are better than one, but very far inferior to one with pure lymph. During the twenty-nine years of my practice, I myself made it a habit to make from three to five vesicles. After the first year of my practice, I have always lived (with the exception of two years in the army) in one small neighborhood. Owing to the circumstances connected with my preparation of virus for seventeen years, I have made a large number of vaccinations. And I state here, as evidence of the protective efficiency of vaccination, that of all the people I have ever vaccinated, not a single case has come to my knowledge of small-pox.

No committees consisting of members of the Board of Health were appointed at this Conference, nor was any action taken in regard to the calling of any future Conference, it being understood that the officers of the American Public Health Association were in communication with Boards of Health throughout the United States, and would invite their members to a conference whenever it might be deemed advisable. The members present all took part in the discussion of the questions raised, and several of them, as will be seen in the subsequent pages, joined in the discussion of the papers on sanitary topics read at the General Meeting. Before adjourning on Friday the joint Conference passed a resolution which was also adopted in the General Meeting, recommending the appointment of State Boards of Health, and the establishment of thorough systems of registration in all the States in which they do not now exist.

THE SANITARY PAPERS OF THE GENERAL MEETING.

After the adjournment of the Health Conference on Thursday, the afternoon session of the Association was devoted to papers on Sanitary subjects. The former president of the Metropolitan Board of Health in New York, Jackson S. Schultz, Esq., who presided, said, upon taking the chair: —

I do not know why I should have been selected to preside at this session except that I was so unfortunate as to be at the head of the Health Board of this city a few years ago. The legislation then begun on sanitary subjects was felt to be a delicate matter and what was done must be either a success or the beginning of a failure through the country. I had some knowledge of the butchers of New York, and was selected, I think, for that reason. Inasmuch as there were three hundred slaughter-houses scattered through the whole city, and as it was desirable to concentrate them, and doubtful whether this could be done, I was put on the work to see what could be done. It was not attemped to accomplish anything by force. We had all the law we needed, but it was deemed expedient to treat it as a case of doubt — kindly — and two years were occupied in the work. I have been applied to by other health boards to tell how it was done. Well, I have been unable to tell succinctly; it was done by pleading, by prayer, by solicitation, but never by over-harshness, though we were accused of harshness and were fought. I had seven hundred injunctions on me at one time. The courts were unfriendly. With cooperation from the police and the courts we could have done the work in six months. Now, our Board of Health, I am glad to know, is sustained by the courts and the police. Our work as finally done gave entire satisfaction to that strong, willful, unruly class, that has been a nuisance through all time — the butchers. They have none of their unkind feeling left, but feel that they were served without knowing it. No city in the world now has a better meat supply than New York What we must have here is not a Paris abattoir, but a New York abattoir. We live in a country where everybody thinks for himself — and sometimes for his neighbors. But so far as the health of the city is concerned, our abattoirs though not so neat or extensive, are not a whit behind those of Paris. They are good economists in Europe, however: we throw away more money than they make, and we waste more in the city of New York than the same population consumes in modern Europe.

After the allusion to his own experience, the Chairman spoke of the importance of the topics to be presented at the afternoon session, and commended each of the speakers to the attention of the audience.

The order in which the respective papers were read will not be followed in printing them, but the first place will be given to the Report from the Department of Health, prepared and read by Dr. D. F. Lincoln, of Boston, Secretary of the Department.

A REPORT ON SCHOOL HYGIENE.

READ MAY 21, 1874, BY D. F. LINCOLN, M. D., SECRETARY OF THE DEPARTMENT OF HEALTH.

HAVING been requested to prepare a Report upon the subject of the Health of Schools, for presentation at this Meeting, I have thought it best to arrange what I had to say in accordance with a list of topics which has been drawn up by the Department of Health, and which covers, or nearly covers, the whole of the ground in question. Some of these topics have been assigned to certain of our members, for original investigations and reports. If possible, we design to secure such investigations, by competent persons, upon all of the points here given, with a view of presenting the united results to the public at some future time; of which due notice will be seasonably given, in order that all interested in the health of schools may be able to take a personal share in the discussion of what we have to present. The list of topics is as follows: —

1. Heating and Ventilation.
2. Light — and condition of the scholars' eyes.
3. Seats — and deformities traceable to them.
4. Architectural Plans.
5. Apparatus employed in Instruction.
6. Gymnastics.
7. Condition of Nervous System.
8. Organ of Hearing.
9. Organs of the Pelvic Cavity.
10. Drinking Water.
11. Sewage, and Water-closets.
12. Commissions for Scientific Inspection of given School-areas.
13. Project of a law, establishing the office of Medical Inspector of Schools.

1. The air furnished for the use of the school-room ought to be heated in some way before it is brought into the room; it should not be roasted, so to speak, but should contain sufficient moisture. As regards the way of getting rid of the air, when polluted and deprived of its oxygen, it remains an unsettled question whether we ought to employ suction to withdraw the air, like the suction exercised by a chimney, or whether we should simply force warm air into the room and trust to its

elasticity to force its own way out by cracks in the windows or special openings in the walls. It is, however, certain that good ventilation must be expensive, for two reasons: First, that when impure air is expelled, we expel with it a great deal of heat, which is for the most part absolutely thrown away; there is no help for it; it must go up the chimney, or out of window, and the sooner the better. Second, *adequate* ventilation in a *crowded* room implies a dangerous amount of draught of air, and there is scarcely a public school-room in existence that is not so crowded that the attempt to bring in enough fresh air would be improper, because perilous to the pupils' health. For this, the remedy is only to be found in placing fewer scholars in one room; and if you do this, you have to build more rooms. But it can hardly be necessary to remind you, that expense incurred in improving ventilation will prove a good investment, if it saves your children headaches, indigestion, sleepless nights, listless days, coughs, and the disposition to take cold, pale cheeks, and poor appetites.

I will not delay you with statements about carbonic acid, and the other chemical ingredients of pure or impure air, but will pass on to some of the other topics.

2. It is well known, from foreign sources, that school-work is often bad for scholars' eyes. The best-known series of observations upon this point comes from Dr. Cohn of the Prussian town of Breslau. He has found that near-sightedness increases in a rapid ratio, proportionally with the advancement of the pupils in their studies. Very young children in school have little or no trouble; while of the oldest scholars in the high schools more than one half are near-sighted. The causes of this difficulty are various; among those susceptible of a remedy the following may be mentioned: —

(*a.*) Badly printed text-books.

(*b.*) The use of so-called German text and Greek type.

(*c.*) Badly lighted rooms.

(*d.*) Light coming from in front, and so dazzling the pupils' eyes.

(*e.*) Too sombre or too brilliant coloring of the walls of the room.

(*f.*) Desks which are too high and bring the book close to the eye.

(*g.*) Desks which are too low, and compel the pupil to stoop over in reading, or writing more especially, whereby the blood is made to gravitate to the head; the pressure of the collar upon the neck of course makes matters worse.

(*h.*) Over-heated rooms make the face flush, and add decidedly to the evil effects of all the above causes.

(*i.*) Injudicious selection of the hour for out-of-school study; for example, when pupils in boarding-schools are expected to study by lamp-light in the morning.

Not one of these is in the least an imaginary cause of harm to the eyes. All are important and real. But doubtless there are other reasons for the fact that the Germans are a spectacled nation; reasons which I must confess that I do not fully understand. Taking our own schools at large, it is certain that no such deterioration of vision has *as yet* occurred among the children. Observations upon this point are very few among us. But I think I may safely say — and appeal to you for confirmation of the fact — that near-sight has begun to prevail very largely among those families in our own country, in which the children, for a generation or two, have been thoroughly trained in studies which are *not mere accomplishments*, as German, Greek, and mathematics. If my hearers can refute this statement, I should be very glad to be convinced of its incorrectness.

3. School seats are bad when the scholar can stand up between the desk and seat; because, in such a case, the scholar in sitting has to bend forward very much in order to reach his desk. It is necessary to bring the lid of the desk somewhat over the edge of the seat; it is also a good plan to make the lid in two pieces, so that the near piece swings up on hinges, furnishing a book-holder, when not used to write upon.

Seats with too little support, or with an uncomfortable support, give pain, increase the natural restlessness of the children, and tempt them irresistibly to put themselves in all sorts of bad postures, which give rise (especially in the case of girls) to spinal deformities.

One of the most important agents in counteracting this tendency — a tendency so serious, that it sometimes impresses itself on the forms of almost all the girls in a given school — is the frequent and judicious use of light gymnastics. For my own part, I would not confine the recommendation to light gymnastics, but would strongly advise that the chest should be developed by the parallel bars; and this more especially in the case of girls than of boys, for girls, in accordance with the laws of human society, have less chance to use their chests and arms than boys have.[1]

In regard to the whole subject of gymnastics, we expect next year to present a thorough report from a specialist in this department, a gentleman who forms one of our Committee. But I must dwell for a moment longer on this point, simply to add that a large school-yard, sheltered from public view, is doubly desirable, both as furnishing room

[1] I am much obliged to Dr. Frederic Winsor, author of a paper upon the Health of Schools in the last Report of the Massachusetts Board of Health, for the following criticism: "As an old gymnast I feel the great importance of close supervision of all the heavier gymnastics by a judicious and *experienced* teacher. The parallel bars need great judgment. — F. W."

for open air exercise, and as insuring an abundant supply of sunlight in the school-rooms.

7. In speaking of the effects of school life upon the nervous system, I would not dwell upon any positive disease — such as St. Vitus's Dance — which may be traceable to school work, but would beg to protest, rather, against the lamentable perversion and inversion of what ought to be the aim of all school life. For, whereas a proper amount of real study is a sure means of strengthening the health and improving the bodily development, we have given our children so much work, that the result of each day's work is immediate lassitude. And whereas the stimulus of mental energizing is one of the best tonics in the world, we have converted it by our system of prizes — of grinding, useless drill for examinations, of rank lists, of confinement to painfully dull subjects, to the exclusion of a right training of the pupil's powers of original observation; by all sorts of poisonous influences in the school-room air — to one of the severest strains upon the child's natural powers that could be devised.

In the recent report of Dr. Winsor to the Massachusetts Board of Health, it appears that a very large majority of the correspondents of the Board believe that the injurious effects of schools are mainly referable to their action on the nervous system.

It is not stepping beyond our functions as health officers to insist upon the incorrectness of the school routine now prevalent. The child's health depends much upon being allowed frequent change of posture; yet how commonly are the scholars kept for one or two hours at a time in their seats! His mental discipline, his efficiency in all that makes him a good pupil, is greatly injured by too long vacations; his bodily health, even, is not benefited by a two months' course of aimless idleness; yet the tendency of our day is decidedly in favor of long vacations. His *morale* is good, in direct proportion as he comes into friendly relations with his teacher; yet we know that in our great public schools it is next to impossible for a teacher, with forty, fifty, or sixty pupils, changed every year, to be to them anything more than an impersonation of fixed Fate and absolute Will. But it is necessary to pause here, in our enumeration of faults.

It is perhaps a new fact to most of you that there exists among school-teachers a form of deafness, largely due to the intense nervous strain brought upon their systems. The organ of hearing suffers, not from an "organic" disease localized in the ear, but as a mode of nervous exhaustion and breaking down. Similarly in the case of Charles Sumner, from the moment when his nervous system suffered that terrible shock, from injuries inflicted upon his head and spine, the functions of his heart began to be enfeebled; not because the heart was diseased,

but because his sum total of vital force was lowered, and the heart happened to be the organ where the strain was most felt. Our teachers are, all of them, exposed to the danger of breaking at the spot where their constitutions are weakest.

12. Among the projects we desire to see carried out is that of organized inspection of schools within given areas. Every important item in the health of the scholars and the arrangement of the buildings should be included in such inspection, and the results should be printed.

13. Finally, we have thought it worth while to charge one of our number, a member of the Bar, with the preparation of the form of a law, establishing the office of Inspector of Public Schools. Upon this point, the words of the Massachusetts State Board of Health may be quoted: —

"Every city should have a sanitary inspector and instructor of schools, who should be a physician.

"Every town board of health should have among its number a physician, whose duty it should be to pay a monthly visit to every scholar in town, and make a monthly sanitary report to the town and to the State Board of Health."

NOTE. — Since the presentation of the above Report, it has been decided to attempt to secure measurements of the height and weight of large numbers of the pupils in our public schools. The results of such measurements will constitute a contribution to vital statistics, but may also turn out to be of importance in throwing light upon the health of schools. — D. F. LINCOLN.

HYGIENE IN SCHOOLS AND COLLEGES.

By Alfred L. Carroll, M. D., of New Brighton, S. I.

Read May 22, 1874.

I need make no apology for urging before the Social Science Association the too long neglected claims of Hygiene, to rank as one of the most important branches of sociological culture. Social Science, as I understand it, embraces the systematic study of those elements of human welfare which an old nursery rhyme groups together, as the results of early going to bed and early rising; but even in that ancient legend you will remember that health is put before wealth and wisdom — and very rightly so, since wealth can hardly be gained or enjoyed without health, and, as to wisdom, it is no modern discovery that the *mens sana* depends upon a *corpus sanum*. It is scarcely too strong a way of putting it, therefore, to say that hygiene should have the road for all other human advances, commercial, intellectual, and I might even add, moral; for, as you are aware, the most competent observers are inclined to attribute habitual crime in many instances to physical degeneration, and we have ecclesiastical authority for the assertion that the form of a man's religious belief is intimately connected with the state of his digestive organs.

And yet there is no subject of which mankind at large is more deplorably ignorant than of this code of health. In our educational courses we lay great stress upon classical and mathematical studies which, however excellent as means of mental discipline, may not be of practical use in the after life of nine tenths of our pupils; we teach them something of the laws which govern the community in which they live, and of the principles by which business pursuits are guided; we establish special curricula to fit them thoroughly for special vocations; but most of them are allowed to escape from our hands without learning anything of the rules of their physical existence, knowledge of which is of the utmost practical moment to every human being, whatsoever his or her pursuit. With very few exceptions our undergraduate academies are content to leave hygiene as an esoteric mystery of purely medical doctrine, forgetting that the preservation of health is a matter which almost exclusively concerns the non-medical public, whose intercourse with physicians seldom begins until after violation of sanitary laws has in-

duced actual disease when the time for the "ounce of prevention" is past, and the "pound of cure" alone is sought. In fact, unless the world at large will adopt the Chinese custom of paying doctors to keep their patients well and stopping their salaries during sickness, the laity should be better instructed in this respect than their professional advisers. But I have met erudite scholars to whom the differential calculus was as easy as the multiplication table, and Demosthenes lighter reading than Congressional debates, who were utterly devoid of any idea as to the functions of their own organs or the physiological relations of nitrogen, carbon, and oxygen. It is to this lack of the rudimentary knowledge which every one should possess, that we owe more than half the mortality of the world, and a very much larger proportion of its sickness. To this are due the appalling death-rate of infancy; the slow devitalization of children in overcrowded, ill-ventilated schoolrooms; the crippling of operatives in deleterious trades; the myriad evil effects of sewage-poisoning, the generation and perpetuation of endemic diseases; the ravages of epidemic contagions; and, less directly, perhaps, but almost as surely, a great part of the intemperance and moral decadence which are as often the consequences as the causes of insanitary conditions among the poorer classes.

But apart from the prevention of specific maladies is the question of maintaining all the bodily functions in the best working order possible. Between perfect health and actual disease there lies a wide debatable border land, and it is herein that the teaching of personal hygiene should find its most fertile field. There are thousands of persons who are not ill enough to come under medical care, who have no pronounced disorder to which we can give a name, who are nevertheless far from being quite well. They can generate just enough vital energy to sustain a sort of vegetable existence, but are incapable of entering into active relations with the external world. They may pass current physiologically, as "greenbacks" do financially, — as indisputable legal tender, but considerably below par.

Of these, and of the classes that mark the gradations between them and thorough health, it is a mere truism to say that if any one with sound organs fail to enjoy the full measure of natural functional vigor, it is through violation of natural laws; the error sometimes arising from necessity, but far oftener from ignorance. Nay, even impaired organs can be made to do a creditable amount of work without discomfort by placing them under the most favorable hygienic conditions.

Surely, the knowledge how to employ one's vital energies to the best advantage, how not only to avoid preventable disease, but to maintain the highest standard of health compatible with one's physical organization, is quite as important as an intimate conversance with the minor

incidents of the French Revolution, or proficience in the nomenclature of far western post-villages.

I am aware that in a few isolated instances instruction in hygiene is nominally afforded to advanced classes, but nowhere, as far as I have heard, is sufficient prominence accorded to it. Even in my own profession, of the thirty-seven medical colleges in the United States, I know of but four that have chairs of hygiene; in the rest this weighty subject, if touched upon at all, is relegated to two or three lectures interpolated in a course on surgery, or materia medica, or some other equally relevant topic. It seems to me that in no direction could the influence of the Social Science Association be more profitably exerted than in an endeavor to change all this.

Hygiene, the most practically useful of sciences, should be made an essential feature of every grade of education and taught with the thoroughness it merits. It should be introduced in all normal schools as an obligatory part of the training of teachers, in order that its rudiments might be imparted even to the pupils in primary class-rooms wherein are found the children of the poor, who stand in greatest need of its counsel. From the lowest form up to the graduating class of every college I would give it a progressive course, as is done with mathematics, classics, and, indeed, all other branches of tuition; not necessarily particularizing all the recondite technicalities which are requisite for the professed sanitarian, but comprising personal hygiene with so much of public hygiene as every citizen should know. As a model exemplar of what a part of such teaching should be, I would point to a paper by Dr. Bowditch on "Preventive Medicine and the Physician of the Future," published in the latest report of the Massachusetts Board of Health, in which it is shown how hereditary tendency to disease may be held in abeyance by a properly regulated course of life.

Involving, as it does incidentally, elementary instruction in physics and chemistry as well as physiology, hygiene as I would have it taught would afford at least as good means of intellectual training as any study now embraced in undergraduate schemes; its principles being nothing if not rigorously logical inductions from demonstrable facts; whilst in addition to this disciplinary value, it possesses, from the utilitarian point of view, the greater recommendation of offering practical benefits, both present and future, to every class of the community. No more effective method could be devised for the suppression of ignorant quackery than to teach the public something of the philosophy of life and health; no better legacy could be prepared for posterity than to tell those who are to give birth to coming generations how to fulfill their parental duties and to transmit an unimpaired inheritance of health to their heirs; no sanitary legislation can do unaided such wide

good for public health as would be accomplished by thus enlisting the intelligent coöperation of every member of the community.

It would be easy to elaborate further argument, but I am conscious of having already multiplied words unnecessarily, in support of a proposition which the simplest statement might render self-evident. Doubts or objections, if any there be, can only emanate from pedagogical, not from physiological considerations, and to forestall these I would cite the high authority of Dr. Maudsley, who in his latest work, speaking of the avoidance not only of bodily, but of mental derangement, says: "Regarding the subject from a scientific point of view, the best education would seem to be that which was directed to teaching man to understand himself, and to understand the nature which surrounds him, and of which he is a part and a product; so to enable him, as its conscious minister and interpreter, to bring himself into harmony with nature in his thoughts and actions; and so to promote the progressing evolution of nature through him, its conscious self. The highest evolution of which man's being is capable, physically, morally, and intellectually, through knowledge of, and obedience to, those natural laws which govern not only the physical world, but, not less surely, every thought and feeling which it enters into his mind to conceive, must be the aim of an education founded on a truly scientific psychology."

In remarking upon Dr. Carroll's paper, Dr. C. R. Agnew, of New York, spoke also of some of the points raised by Dr. Lincoln, mentioning specially the prevalence of myopia and other affections of the eye in the schools of America and of Germany, particularly in the latter country. In the United States, he said: "Statistics did not show that pupils were much afflicted in that way; but he, as well as other physicians, could bear witness to the growing frequency of such affections. He spoke also of the dangers of cramming and of keeping girls of thirteen or fourteen years old for many hours at sedentary occupations. Seats in school-houses should be so modeled as to make any prone position of the head fatiguing. The light should come from above, over the shoulder. We never should have good results from education in our schools and colleges till sanitary science was taught as Dr. Carroll had suggested, and until a practical application was made of its principles."

A lady said she wished the Association would understand that the teachers were not entirely to blame. She was willing to divide the blame with the parents and the doctors, but did not wish to see the teachers charged with the destruction of the health of children, and the total annihilation of the American race. The discussion was continued by Mrs. Dall, of Boston, Mrs. Dr. Halleck, of New York, and others.

TENT HOSPITALS.

A Paper by J. Foster Jenkins, M. D., of Yonkers, N. Y.

Read May 21, 1874.

The bitter experience of the allied armies in the Crimea, engaged, during 1854–55, in war with Russia, fixed attention as it had never been before, upon the need of radical reforms in hospital construction.

The report[1] to the English Minister of War of the proceedings of the Sanitary Commission dispatched to the seat of war at the East, the writings of Miss Florence Nightingale, and finally the report,[2] in December, 1857, of the Commissioners appointed to inquire into the regulations affecting the sanitary condition of the army, the organization of military hospitals, and the treatment of the sick and wounded, furnished an array of facts and arguments, which went far to illustrate and establish the principles, from a general acceptance of which alone beneficent reforms could spring.

The subsequent experience of the British forces in India,[3] that contributed by the recent war of the American Rebellion, and by the campaigns of the French, German, and Italian armies since 1866, and the active discussion that has sprung up in England, France, Germany, and in the United States, of the special questions pertaining to hospital hygiene and administration as influencing the growth of correct principles of hospital construction, have each made valuable additions to our knowledge, and have rendered it well nigh certain, that coming generations of men, when they look upon hospitals hereafter endowed by the benevolent, need not be forced to lament that the pious intentions of founders should be frustrated by the ignorance of builders. For not in a single generation or country alone has it been an open question,

[1] *Report to the Right Hon. Lord Panmure, G. C. B., etc. Minister at War of the Proceedings of the Sanitary Commission dispatched to the Seat of War in the East 1855–56. Presented to both Houses of Parliament by Command of Her Majesty March, 1857.* London: Printed by Harrison & Sons.

[2] *Report of the Commissioners appointed to inquire into the Regulations affecting the Sanitary Condition of the Army, the Organization of Military Hospitals and the Treatment of the Sick and Wounded; with Evidence, and Appendix Presented to both Houses of Parliament by Command of Her Majesty.* London: Printed by Eyre & Spottiswoode for Her Majesty's Stationery Office, 1858.

[3] *Report of the Commissioners appointed to inquire into the Sanitary State of the Army in India with Precis of Evidence. Presented to both Houses of Parliament by Command of Her Majesty.* London. Printed by Eyre & Spottiswoode for Her Majesty's Stationery Office, 1863.

whether the sick were the more helped or injured by residence in the average, nay, in the best-existing hospital.[1]

Miss Nightingale, even so recently as in 1863, said,[2] that strange though it seems, it is yet quite necessary to lay down the principle that the very first requirement in a hospital, is that it should do the sick no harm, — necessary because the actual mortality *in* hospitals is very much higher than any calculation founded on the mortality of the same class of diseases among patients treated *out of* hospital would lead us to expect. And a knowledge of the serious influence exercised by hospital construction on the duration of illness and the rate of mortality, led her to present to the English National Association for the Promotion of Social Science, the paper which, reprinted as Notes on Hospitals, has through successive editions, probably done more than any other treatise to promote sound views of hospital economy.

The English Royal Commission, appointed in 1857, for improving the sanitary condition of barracks and hospitals, indicated clearly in a few words the reason for which hospitals exist, viz.: "It should never be forgotten that the object sought in the construction of a hospital is the recovery of the largest number of sick men to health in the shortest possible time, and to this end everything else is only subsidiary."[3]

How shall we, then, best build our hospitals so that they hasten rather than retard the convalesence of the ill, and will not add to surgical injuries and diseases brought into the hospital, the graver pests too frequently engendered there?

The outgrowth of the discussions of the past twenty years is a general assent that the sick man placed in hospital is likely soonest to be remanded to his ordinary course of life, who, other things, equal, finds himself in a structure consisting only of a single isolated ward, light, warm, and possessing an atmosphere of perfect purity, frequently renewed by thorough ventilation.

The condition essential to success here is the greatest attainable

[1] "It should never be forgotten for a moment, that on the purity of the air of a ward depend, in a great measure, the recovery or death of the sick and maimed, the usefulness or injury arising from the hospital, the duration of cases, and, consequently, the hospital economy; whether, in short, a hospital, planned, erected, and supported 'by voluntary contributions' is to be a blessing or a curse to civilization." * Quoted from Miss Nightingale, by Sir J. R. Martin, in Holmes' System of Surgery, London, 1871, 2d edition, vol. v. p. 1012.

[2] *Notes on Hospitals.* By Florence Nightingale. 3d edition. London, Longmans, 1863. Page first of Preface.

[3] *General Report of the Commission appointed for improving the Sanitary Condition of Barracks and Hospitals.* Presented to both Houses of Parliament by command of Her Majesty. London: Printed by Eyre & Spottiswoode, for Her Majesty's Stationery Office, 1861, p. 175.

"* Ponteau, looking at the ill-placed, ill-constructed and ill-regulated hospitals of his day, asks 'Are hospitals, then, more pernicious than useful to society?'"

purity of the atmosphere, and to it all other questions should be but secondary. This determines the isolation of the ward, and forbids its association with another under the same roof. If larger numbers of sick are to be cared for than it is proper to aggregate in a single ward, another distinct structure should be provided. It will not do to erect a building of two stories, each a ward. By the poisonous emanations which it gives to its neighbors, and the limit it imposes on ventilation, each deprives the other of its prime condition of success, — a constantly pure atmosphere.

It is demanded, then, that aside from the erections demanded by the offices of administration, a hospital be composed of distinct structures of which, so far as shelter to the sick is concerned, the detached ward is the unit.

The number of wards under the same control constitutes the hospital a large or a small one. The only limits need be those determined by the number of the sick to be provided for, and the convenience of administration.

By what successive steps of experience and discussion students of hygiene have demonstrated that complete purity of air investing the patients, and, as essential to this purity, the isolation of the wards, are indispensable, need not be related in detail to this assemblage, even though the half hour allotted to this paper did not relegate to the limbo of appendix or foot-notes much citation of authorities and many illustrative statements.

I can, however, hardly forbear to cite in support of these general views the testimony of Dr. Parkes, Professor in the English Army Medical School, who has, among sanitary scholars and teachers of hygiene now living, hardly a peer. In the fourth edition of his treatise on Practical Hygiene, he says: "Although the establishment of hospitals is a necessity, and marks the era of an advanced civilization, it must always be remembered that if the crowding of healthy men has its danger, the bringing together within a confined area many sick persons is far more perilous. The risks of contamination of the air, and of impregnation of the materials of the building with morbid substances are so greatly increased, that the greatest care is necessary that hospitals shall not become pest-houses, and do more harm than good. We must always remember, indeed, that a number of sick persons are merely brought together in order that medical attendance and nursing may be more easily and perfectly performed. The risks of aggregation are encountered for this reason; otherwise, it would be far better that sick persons should be separately treated, and that there should be no chance that the rapidly changing, and, in many instances, putrefying, substances of one sick body should pass into the bodies of the neigh-

boring patients. There is, indeed, a continual sacrifice of life by diseases caught in, or aggravated by, hospitals. The many advantages of hospitals more than counterbalance this sacrifice, but it should be the first object to lessen the chance of injury to the utmost. The risk of transference or aggravation of disease is least in the best ventilated hospitals. A great supply of air, by immediately diluting and rapidly carrying away the morbid substances evolved in such quantities from the bodies and excretions of the sick, reduces the risk to its minimum, and perhaps removes it altogether. But the supply of air must be enormous. In addition to the necessary amount to dilute and remove these substances, the freest supply of air is also now known to be a curative means of the highest moment; in the case of the febrile diseases, both specific and symptomatic, it is, indeed, the first essential of treatment; sometimes, especially in typhus and small-pox, it even lessens duration, and in many cases it renders convalescence shorter.[1]

"There can, I believe, be no doubt that the necessity for an unlimited supply of air is the cardinal consideration in the erection of hospitals, and, in fact, must govern the construction of the buildings. For many diseases, especially the acute, the merest hovels with plenty of air are better than the most costly hospitals without it."[2]

He also quotes with approval the doctrine enunciated by Miss Nightingale, that "the sick should be placed in small, detached, and perfectly ventilated buildings, so that there is no great number of persons in one building, and there should be no possibility of the polluted air of one ward passing into another."[3]

The Department of Health of this Association, when inviting the preparation of a paper upon tent hospitals desired, I presume, to elicit a discussion as to the applicability of tents to the hospital requirements of civil society, rather than to ask further consideration of their uses for the temporary shelter and treatment of disabled men in time of war.

In a thousand growing towns and incipient cities of the United States, to say nothing of those larger cities whose petrified embodiment of old errors in hospital construction yield steadily their harvests of disease and death, there is to-day an urgent need of better provision than exists for the care of such members of the community as, disabled by sickness or accident, most fitly rely on the local hospital to raise them from the class of dependents and consumers into that of helpers and producers.

It were idle to occupy the moments in reasserting the well-known

[1] See evidence on pages 276, 277.

[2] *A Manual of Practical Hygiene, intended especially for Medical Officers of the Army and for Civil Medical Officers of Health.* By Edmund A. Parkes, M. D., F. R. S., etc., etc. Fourth edition. Philadelphia, Lindsay & Blakiston, 1873, pp. 326–328.

[3] Op. Cit. p. 328.

truths that society cannot afford to lose the pecuniary value of the life or health of any citizen, and that it finds in every possessor of a sound mind in a sound body, a positive addition to its social forces. Its interests, not less than humane sentiment or its sense of duty, call for its intelligent appreciation of the principles of hospital construction, on which the success of all hospital administration is dependent.

I hope to show in this paper that tents are probably not less suited to satisfy the requirements of permanent civil hospitals than to meet the exigencies of war; that warmth and light and pure air can be secured to their occupants, and that so they satisfy the prime necessity of hospital construction, viz.: that in them the largest number of sick may be restored to health in the shortest possible time.

The proposition advanced, you observe, is qualified, and in place of demonstration, there can only be offered you such *à priori* reasoning on ascertained facts, and on the accepted doctrines of hygiene, and such limited, perhaps you will say inconclusive, experience, as has thus far been put upon record. The full acceptance of the proposition in its nakedness has been too recent; theory has as yet too seldom received material expression; the isolated canvas ward is too generally still an ideal creation, and comparative statistics of the duration of sickness and of the rates of mortality in the new structures and in the old, have not been accumulated in a sufficient body to satisfy the rigorous demands of scientific demonstration. Were the doctrines not only established, but generally accepted, this Association would scarcely call attention to them.

Although occasional allusions to the use of tents for hospital purposes are noticed in the writings of Ambrose Paré,[1] Monro,[2] Hen-

[1] In *Apologie, et Traite contenant les Voyages, etc.*, "Voyage de Metz, 1552," of the German camp after the raising of the siege he says: "On alla ou ils avoient campé, on l'on trouva plusieurs corps morts non encore enterrés, et la terre toute labourée, comme l'on voit le cimitière sainct Innocent durant quelque grande mortalité. En les *tentes*, pavillons et loges, y avoient laissé pareillement plusieurs malades." *Œuvres complètes.* Paris, Baillière, 1840–41, tome iii. p. 707.

[2] "Some of the regimental surgeons in *Germany*, when they took the field, had always some spare tents carried along with their medicine chests; and when any of their men fell sick in camp, and they could get no house for a regimental hospital in villages, they ordered these tents to be pitched, and had the ground within well covered with straw and blankets, and then put the sick into them, and then took care of them till they found an opportunity of sending them to the Flying Hospitals." *An Account of the Diseases which were most frequent in the British Military Hospitals in Germany, from January 7, 1761, to the return of the Troops to England in March, 1763, to which is added an Essay on the Means of Preserving the Health of Soldiers, and conducting Military Hospitals.* By Donald Monro, M. D. London, 1764, p. 355 . . . . Monro also stated on the authority of Dr Home, that in 1755, some of the men-of-war carried out to North America a malignant jail fever, brought by impressed men. The fever continued to spread while at sea, but at Halifax the sick "were lodged in tents, or in very old, shattered houses, that admitted the air very freely, which put a *sudden* and effectual stop to this disorder." *Ob-*

nen,[1] and Larrey,[2] and although their summer use in Russia dates back more than forty years,[3] yet their especial value in the management of malignant epidemics was first exhibited on a large scale in 1855, at Varna, among the French troops smitten with cholera.[4] The smaller rate of mortality among the men treated in tents, less than twenty-seven per cent. of those attacked, as compared with those in buildings, sixty per cent., attracted marked attention.

servations on the Means of preserving the Health of Soldiers, and of conducting Military Hospitals; and on Diseases incident to Soldiers in the Time of Service, and on the same Diseases as they have appeared in London. 2d edition. London, 1780, vol. i. p. 269.

[1] *Principles of Military Surgery.* By John Hennen, M. D., F. R. S. E. London, 1829, pp. 237, 238, and 243.

[2] *Memoires de Chirurgie Militaire, et Campagnes.* D. J. Larrey. Paris, 1812, tome i. pp. 244, 281.

It is noteworthy that the three hundred severely wounded men of the battle (reconnoissance in force) before el-A'rich, most of whom required the performance of surgical operations, who during continuous rainy and cold weather (February, 1799), were protected only by poor tents or boughs of the palm-tree from the humidity of the atmosphere and of the ground, who were deprived of their usual food and compelled to substitute for it the flesh of wounded camels and horses, yet generally bore their wounds and operations well. "Mais en général elles furent toutes suivies de succès."

The reconnoissance was followed after a few days by a brief siege of the fort of el-A'rych. Here "suitable premises" (un local convenale) were prepared to receive and treat the wounded. These wounded rejoined the army — *à l'exception de quelques uns qui moururent de la peste.* Was not the open-air treatment of the earlier wounded probably their protection against the maladies that so often assail aggregations of men after operation? Would the second company of wounded have been as likely to have had their ranks thinned by malignant fever under poor tents, as in the "suitable premises" which doubtless protected and perhaps decimated them? *Vide* Larrey, Op. Cit. vol. i. pp. 280, 285.

[3] "It seems that, whether in imitation of the mountain tribes of the Caucasus (where the practice has prevailed from time immemorial) or not, the Russians have been in the habit during summer of resorting to the tent system for the last forty years. Not only in the great camps near St. Petersburg, Warsaw, etc., are the patients placed in this description of ambulance, but all the civil and military hospitals possess a similar mode of establishment for the summer months. Of course, in winter, the great object, in so rigorous a climate, is by any means to exclude the cold; and as this has to be effected at the expense of ventilation, the consequence is, that not only the vast hospitals of the town, but the smaller ones, and even private houses, become infected, and erysipelas, gangrene, and pyæmia, typhoid and recurrent fevers are produced. Among the lower classes and the soldiers, hemeralopia and scorbutus become prevalent; and although all the usual remedies are resorted to, there is but one means of radical cure, the admission of air. The evacuation of hospitals, ambulances, etc., is therefore effected as soon as this becomes possible; and to this end every Russian hospital is in possession of light wooden constructions, or tents are raised in large gardens or plantations, and sufficiently remote from habitations, under the designation of summer hospitals. Scorbutus and hemeralopia now disappear as if by enchantment, the wounds take on a healthy aspect, and epidemics disappear." — Dr. Oscar Heyfelder, *Medical Times and Gazette* (London), June 10, 1871, from *Presse Belge*, May 7 and 14, 1871.

[4] *La Guerre de Crimée, les Campements, les Abris, les Ambulances, les Hospitaux*, etc., etc. Par L. Baudens. Deuxième edition. Paris, 1858, pp. 187, 188, and M. Michel Lévy in *Bulletin de l'Académie de Médicine*, 1862, p. 617.

The statistical statement of M. Lévy, which is relied on in the text, is quoted from the

In 1861, Dr. Kraus, an Austrian military surgeon, published records of the experience of the Austrian army,[1] where since 1854 tents had been, during the mild season of the year, in growing use for hospital purposes. The report of this experience is so pertinent to many of the questions which are suggested by the present discussion, that portions of it may here be fitly presented. I quote from the abstract of it made for the parliamentary blue-book, containing the statistical, sanitary and medical report of the medical department of the British army for 1862:[2] —

"In 1854, at some of the stations of the Austrian army in Hungary, the plan was commenced of treating a portion of the patients under tents instead of in the permanent hospitals, and this was continued from spring to the end of autumn." "The results were very satisfactory. The most severe maladies ran their course much more mildly in the free air, *i. e.*, in tents, and recovered more quickly and more perfectly than in the confined spaces of hospitals." In the following years till the date of publication, the plan was continued, and the tents were kept open farther into the winter, and it was noticed that by a sudden burst of cold weather, when the thermometer fell to freezing point at night, the sick were in no degree damaged, and singularly enough, the men themselves, many of whom were severely ill, declined the offer to move them from the tents into the hospital. Taking the experience of the six years (1854–1860) the following results were brought out: —

Typhoid fever. — In its severe forms was treated more successfully in tents than in the hospitals. Less than twenty-one per centum of admissions proving fatal in tents, while thirty and a half per centum of those admitted into the permanent hospitals died. Attendance, diet, and medicine, were the same in both, and it was to the disadvantage of the tents that they were used during the worst months of the year for typhoid, August and September, when the severest cases were admitted. As regards the course of the disease, it was shorter in the tents; there

History of the American Ambulance Established in Paris during the Siege of 1870–71, together with the Details of its Methods and its Work. By Thomas W. Evans, M. D., D. D. S., Ph. D., etc., etc. London, 1873, pp. 479, 480.

The report of Dr Edward A. Crane, on the *Organization of the American Ambulance*, which extends to nearly 500 pages of this imperial volume, is a monument of well-directed devotion too seldom encountered in our literature. Its history of the establishment of army hospitals and of the use of tents, whether for shelter or for the hospitalization of the sick, is well nigh exhaustive. It shows great familiarity with the writings of physicians and sanitarians on proper provision for the sick and wounded. And its discussion of the varied details of the special organization of the ambulance under consideration is eminently suggestive and thorough.

[1] *Das Kranken Zerstreuungs-System.* Von Felix Kraus; K. K. Ober. Stabsarzt. Wien, 1861.

[2] Army Medical Department. Statistical, Sanitary, and Medical Reports for the year 1862. London, 1864, pp. 347, 348, 349.

was earlier loss of headache, speedier lessening of the fever, and earlier moistening of the tongue. While in the hospital it was the third or fourth week before decided and permanent improvement set in, this occurred in tents by the fourteenth day. It was also noticed that in spite of the severity of the cases in August and September, there was no spreading of the disease in the tents.

Small-pox. — In the tent cases the eruption came out quicker and better, maturated more rapidly, and the desiccation and convalescence were not followed by any sequence. In the permanent hospital the course was longer, the stages less defined, recession of the eruption was more common, after diseases were more frequent.

Syphilis. — In the wards, bubos, even when opened at the proper time, showed, in the hot summer months, a tendency to, or an actual production of gangrene. As such occurrences happened extremely rarely in the tents, it became a practice at once to remove such patients from the wards to the tents, and with very favorable results; there appeared to be an improvement in vitality.

Wounds and Outer Inflammation. — Of all the cases treated in tents, these showed the most favorable results. In 1859, a number of wounded (789) were sent from Italy; all severe cases were sent into tents; the slighter cases into wards.

All the men in the tents had a fresh, lively look, which contrasted very strongly with the appearance of those in the wards. In the wards, though doors and windows were left open almost the entire day, and the greatest care was taken with treatment, hospital gangrene occurred, and when the gangrened parts separated the granulations were unhealthy. All this was mended at once when the men were brought into the tents; the gangrenous parts separated more rapidly, and there was afterwards a more rapid reproduction. In no single case could it be ever made out that gangrene originated in the tent.[1]

Not less important is the fact that no case of pyæmia occurred in the tents, and the production of tuberculosis, hydrœmia, etc., following wounds was trifling. There was no death among any of the wounded treated in tents.

Scurvy. — In 1860 there was a good deal of scurvy; the improvement occurring in tents over that seen in the hospital was well marked.

In view of these results, Dr. Kraus strongly advocates the use of tents for field hospitals in war, instead of converting buildings (often unsuited for the purpose) into hospitals.

Dr. Kraus alludes to the usual opinions that tents are too hot, too

[1] See similar testimony of American experience as given by Dr. Hammond, Surgeon-general of the United States Army, p. 278. Compare also the experience of Hennen at Abrantes (Roscio), referred to on page 275.

cold, too exposed, or likely to be wet, and he justly considers all these objections to be of no practical value. They are, in fact, usually *à priori* conclusions by persons who are not well acquainted with tent life.[1]

The war of the Rebellion from 1861 to 1865 furnished the opportunity to apply in the United States, on a gigantic scale, the teaching presented by recent European experience. The tent hospital, either through necessity or by choice, was established under a great variety of conditions, and the tests to which it was subjected, have, in their result, afforded to the lessons of that teaching an ample support. The medical officers of the national government and of the insurrectionary States gave accordant judgment.

The Surgeon-general of the United States Army, Dr. Hammond, wrote in 1863, in the third year of the war, "Nothing is better for the sick and wounded, winter and summer, than a tent, or a ridge-ventilated hut. The experience gained during the present war establishes this point beyond the possibility of a doubt. Cases of erysipelas, or of hospital gangrene, occurring in the old buildings, immediately commenced to get well as soon as removed to the tent. But in no instance that has come to my knowledge has hospital gangrene originated in a wooden pavilion hospital, and in no instance, so far as I am aware, in a tent. Again, wounds heal much more rapidly in them, for the reason that the full benefit of the fresh air and the light are obtained. Even in fractures the beneficial effects are to be remarked."[2]

Dr. Chisholm, a confederate surgeon, wrote during the war: "Men treated in a tent hospital always convalesce much more rapidly than those collected together in a large hospital building."[3]

[1] "We did not find, during the Crimean war, that free ventilation in our temporary hospitals was injurious. I can vouch for having treated and seen treated many cases of inflammatory affections of the chest in such hospitals without injurious effects. Men suffering from bowel affections were most liable to the influences of cold. During the Franco German war, the soldiers have been very largely exposed to the full efferts of the weather, yet up to an advanced period of the winter, the percentage of sick in the well fed and well-clothed German army was small. A degree of warmth that is unnecessary for health, however, adds to comfort, and to a reasonable extent should certainly be afforded. In civil life, where the extremes of age, and delicate people, are so largely inmates of hospitals, a greater degree of warmth is requisite, *but this can be fully obtained in a well-ventilated building. Notes on Hospital and Barrack Construction and Ventilation.* By Deputy Inspector-general Massy, M. D., C. B., Head of the Sanitary Branch. Appendix No. II. to *Army Medical Department Report for the Year* 1869. Vol. xi. London, 1871, p. 242

[2] *A Treatise on Hygiene, with special reference to the Military Service.* By William A. Hammond, M. D, Surgeon-general United States Army, etc., etc. Philadelphia, J. B. Lippincott & Co, 1863, pp. 397, 398.

[3] *Manual of Military Surgery,* 1862. Quoted by Dr. E. A. Parkes in *Review of the Progress of Hygiene during the Year* 1862. Army Medical Department. Statistical, Sanitary, and Medical Reports for the Year 1861. London, 1863, p. 334.

At the same time, on the other side of the world, evidence was gathering of the superiority of tents over the older constructions for the care of the disabled, as was shown by Mr. Mackinnon, Sanitary Officer to the English troops engaged in war with the Maories of New Zealand, during 1863–4–5, in his report to the Director-general of the Medical Department of the Army. He asserted that "it was observed by all the medical officers who had opportunity of judging, that the wounded progressed more favorably in tents." [1]

After the short, sharp, and decisive conflict, between Prussia and Austria in 1866, each Prussian hospital had its annex of a tent ward, in which were placed the worst cases, particularly those in which there was much suppuration. The indispensableness of abundant fresh air to the safe treatment of hospital gangrene, compelled the resort in such emergencies to the easily ventilated tent.[2]

Within the ten years that had now succeeded the report to the English Government of its Crimean Sanitary Commission, correct doctrines as to hospital construction, borne witness to so continuously by the result of their application, under the emergencies of war in Hungary, Bohemia, Italy, New Zealand, and the United States, had so won their way, that here and there, especially on the continent of Europe, civil surgeons began to promote the establishment on a small scale of tent hospitals to meet the ordinary requirements of urban populations. Foremost in developing practically the new ideas was Germany,[3] where, as M. Husson reports in a paper read by him in 1869 to the

[1] *A Brief Narrative of the War in New Zealand during the Years* 1863, 1864, *and* 1865, *embracing the Sanitary History of the Force.* By William Alexander Mackinnon, C. B., etc., Sanitary Officer of the Troops. Statistical, Sanitary, and Medical Reports, vol. vi. for the year 1865. Army Medical Department. London, 1857, p. 408.

Inspector-general Mouat, in his report on Wounds and Injuries received by troops in New Zealand during 1863–4–5, says: "During the war there was one place at which, for a short time, wounds did not do so well — at Tauranga. There the wounds were inclined to take on unhealthy action; the flaps of stumps sloughed, secondary hemorrhage appeared, and the men generally did badly. The cause was evident, and as it admitted of prompt remedy, Tauranga became as healthy as any other hospital. The wounded had been placed in a very comfortable house, where plastered wall and ceilings effectually prevented the irregular ventilation which was so beneficial in its effects at Queen's Redoubt Hospital. The house acquired the sickly hospital smell, which was ineradicable; disinfection did no good, and yet the entire cubic space allowed to each patient was not less than eight hundred feet. The patients were, most of them, removed from this house, *placed in marquees, and at once everything changed; the most unpromising wounds did well,* and no more satisfactory cures could have been achieved elsewhere." Deputy Inspector-general Massy in English Army Statistical, Sanitary, and Medical Reports for the year 1869. Vol. xi. London, 1871, p. 234.

[2] *Report on the English and Sanitary Services of the Prussian Army during the Campaign in Bohemia,* 1866. By J. A. Bostock, M. D. Army Medical Department. Statistical, Sanitary, and Medical Reports. Vol. vii. for the year 1865, London, 1867, p. 361.

[3] *Medical Times and Gazette.* London, Feb. 6th, 1869, p. 145.

Academy of Medicine of Paris,[1] the hospital authorities in all the principal cities erected tent hospitals in their gardens. The surgeons were almost unanimous in their declarations that the results of amputation, and other grave operations, were extremely favorable as compared with the operations in the older hospitals, and M. Chantreuil has reported the statistics of these establishments in the *Archives Générales*, and shown that successful results after operations on patients treated in tents are far more frequent than when they are the inmates of the ordinary hospitals. M. Husson, who held at Paris the important position of Official Director of Public Assistance, closed his paper at the Academy by commending a cautious but complete investigation of the subject of tent and shed hospitalization.

Aided by his encouragement, M. Le Fort, surgeon to the Cochin Hospital, soon established in its ample grounds a tent ward of eighteen beds, and with results the most favorable to its inmates.[2] In a Paris hospital, where capital operations and grave accidents so generally lead to the autopsy chamber, by reason of the preventable diseases induced by the contamination by organic emanations of everything about the patient, it was a new experience to see considerable numbers of severe injuries get well without a single complication of pyæmia, erysipelas, or hospital gangrene.[3]

Thus far, while tents had been growing in favor for the hospitalization of the sick, during the warmer portion of the year, a general conviction obtained that they were unfit to subserve this end during cold weather. Despite occasional statements of their successful use in winter, little effort was made to install them as sedentary hospitals, and where most valued during the milder season they were speedily evacuated with the first severe frost.

The Franco-German war of 1870–71, and the siege of Paris, gave an opportunity to our countrymen resident in Paris to test the conviction which some of them strongly held, that hospitals could be maintained under canvas, not merely in summer, but would as well meet the exigencies of winter service. Associating themselves as the American International Sanitary Committee of Paris, they established a fixed hospital on the border of the Bois de Boulogne, three wards of which, containing twenty-six, twenty-eight, and ten beds, respectively, were composed of canvas tents. The two larger wards, made by the union of several United States regulation hospital tents, were pavilions of cotton duck, seventy and eighty-four feet long, having a width of fifteen feet.

[1] *Medical Times and Gazette.* London, August 21st, 1869, p. 227.

[2] *Medical Times and Gazette.* London, November 27th, 1869, p. 639, and May 28th, 1870, pp. 590, 591

[3] *La Chirurgie Militaire, et les Sociétés de Secours, en France et à l'Etranger.* Par Leon Le Fort, etc., etc. Paris, 1872, pp. 180–182.

A vestibule at each end protected the inmates from sudden drafts of cold air. The tents were furnished with board floors and covered each with a *sur-tente*, or fly. The ingeniously contrived plan of heating the wards by a subterranean furnace at the front of each, whose smoke pipe ran in a covered trench (communicating by registers with the interior of the tent), the whole length of the pavilion, and emerged from the ground outside its rear wall, secured an equable temperature, and abundant ventilation, conditions that previously it had been thought difficult to reconcile under canvas during cold weather.

Although the American ambulance made additional provision, by tent barracks and a house converted to hospital use, for the wounded committed to their care, the place of honor was ever assigned to the tents, — the most severe cases being treated there, — while the slightly wounded and the convalescent were bestowed in the other structures.

The barracks, too, served for the various offices connected with the hospital administration.

The results of this experiment vindicated its wisdom. From September to March, embracing a winter of unusual severity, the tents were warm except when fuel could not be had; were light, easily ventilated, and all the time free from the slightest indication of infection by emanations of organic poison, and from hospital diseases dependent on aggregation, while the death rate was, compared with that of other Paris ambulances, exceptionally low.

Dr. Gordon, sent on a special mission to the French army by the Secretary of State for war, and who remained in Paris during the siege, after deploring the fact that during the late war the results of operations were generally very unfortunate, did not hesitate to state that "within Paris we had, however, in the American Ambulance, undoubtedly the most favorable result of any."[1]

Why was this? Dr. Crane, the Secretary of the Committee, states that "the conditions under which the wounded men were treated at our ambulance differed in no essential respect from those existing in the other ambulances at Paris, except in so far as the patients were more directly exposed to the influence of the open air. The food used by us was no better than that employed elsewhere; the medicines were the same, and the surgical treatment was essentially the same."[2]

Again, effectively presenting some arguments for canvas hospitals, he says: "If most satisfactory results have followed the treatment of the wounded and sick in tent hospitals, it has been principally because they are more completely capable than any other hospitals of a constant and natural ventilation. Formed of a tissue permeable to air and gases, the vitiated air within them is constantly passing out, and is constantly

[1] *History of the American Ambulance*, etc., p. 491.
[2] *History of the American Ambulance*, etc., p. 494.

being renewed by fresh air which enters, not only through certain openings, but passes freely through the net-work of the covering itself. During a considerable portion of the year the doors may be opened, and the walls of the tent so raised as to enable the patients to pass many hours of each day in the open air. In the colder season, when it may be necessary to warm the tents, the air within them may be maintained even more constantly pure; since, whenever the temperature of the air within a tent is raised to a degree above that of the air without, the air within the tent begins to escape, or rather is forced into the surrounding atmosphere, from which, in turn, it is necessarily renewed; and the rapidity of the outgoing and incoming currents of air will increase with the difference existing between the temperature within the tent and the temperature of the atmosphere at large. In my opinion, where the difference between the interior and the exterior temperature is from 50° to 60° Fah., most of the vitiated air passes out through the tissue of the tent. However this may be, it is certain that at our ambulance, where we maintained a constant temperature of about 60° Fah. night and day — when we had fuel — the atmosphere within the tents seemed to grow purer as the weather became severe. Never at any time was a persistent odor to be perceived in the tents, except that of tobacco smoke; and it may be interesting to observe, that while this odor clung to the tents during the mild days of the winter, it rapidly escaped whenever the weather was frosty. I believe the greatest advantage from a sanitary point of view to be derived from the general use of tents in the hospitalization of the sick and wounded, depends upon the facility with which the atmosphere within them may be kept pure and wholesome, and the common results of overcrowding avoided. Another very probable cause of the excellent results obtained in tents, may be attributed to the circumstance of their occupants being constantly more or less exposed to the influences of direct light. When the sick are treated in the open air the influence of light upon them must be very considerable. How important a fact this agent may be, among the several known to be indispensable in order to have the best sanitary condition, it is difficult to say. We know, however, that without light the maintenance of health for any considerable time is impossible, and that its invigorating effects upon organic life in general, bear a constant relation to the directness or indirectness with which the light may reach it. If it be true that the light within a tent is not at any time, strictly speaking, direct sunlight, the light within a white cotton tent not only is in great part direct light, but the light is stronger — the tent being in the sunshine — than it generally is in any room receiving its light indirectly, and by reflection, as nearly all rooms do.[1]

[1] *History of the American Ambulance*, etc., pp. 492, 493.

The thorough working out of these results was due largely to the intelligent prevision, energy, and devotion of Dr. Thomas W. Evans and Dr. Edward A. Crane, the President and Secretary of the American Committee, whose familiarity with sanitary science, and previous studies of hospital hygiene, led logically to this unreserved application of correct principles, which had indeed before been acknowledged as theoretically true, while they had been accepted and acted on only with half-hearted hesitation.

The installation of the American Ambulance in Paris, in 1870, seems likely to encourage new applications of these principles wherever a desire for the speediest possible restoration of the sick is recognized as demanding the best models of hospital construction.

What conditions must be united in such structures?

1st. The tent should be of cotton rather than of hemp or flax. Cotton canvas is permeable to air, while less permeable than linen or hemp to water. Its durability is also greater.

2d. They should have, resting on a bed of gravel or sand, closely-joined board floors of hard wood. These should be covered with good oil cloth, or other non-absorbent material, to prevent fluids sinking into the boards. It would lessen the necessity of frequent washing of the floors, while it might itself be frequently removed and washed. Preferably, the floor should be waxed and dry rubbed, or coated with paraffine.

3d. All hospital tents should have the double roof or fly not only for protection against rain at all seasons of the year, and against the heat of the sun in summer, but by thus keeping the inner roof dry, to promote ventilation especially in winter. The less active aeration of the tents in warm weather through the interstices of their walls may be supplemented by open doors, and in some forms of construction, open windows, which should be placed opposite to each other, and by the partial elevation of the walls of the tent, which should be so arranged as to be easily raised when required. Both the inner roof and the fly should have louvred openings near the ridge at suitable intervals as accessory means of ventilation.

4th. In cold weather the heating should be effected by stoves below ground at the front of the tents, transmitting their heat along covered trenches which carry the smoke pipes to the rear, and which communicate with the wards by grated registers in the floor. The ground once dried and heated, becomes a reservoir of heat which it gives off for many hours, even though the fire be extinguished, and thus a rapid fall of temperature is prevented.

To serve the necessities of a hospital other than those providing for the shelter of the sick, to house the superintendent, the nurses and servants, to bestow conveniently the kitchen, the laundry, the phar-

macy, and to satisfy the other needs involved in a hospital establishment, more solid structures may be added. Their disposition, it is scarcely necessary to say, should be directed by the requirements of hygienic laws, and especially by the supreme law that nothing be permitted to hinder the freest access of pure air to the wards.

Many questions which relate to the grouping of the wards and the administrative buildings of the hospital, the best dimensions of wards, their distance from each other, and much else pertaining to hospital economy, fitly find their discussion in special monographs, or general treatises on public hygiene, rather than in this presence.

Other questions as to the advantages and disadvantages of tents for permanent hospitals must await for their determination a more extended trial.

Questions of first cost, of the cost of subsequent management, of the occasional renewal of material, are not considered here because they are held to be secondary to the chief demand, that in its hospitals society should do the sick no harm.

It will be well, and it seems to me not unfruitful of much good, if this association shall by the discussion it may foster, put on fuller trial the propositions of our countrymen in Paris,[1] viz. : —

1st. "That tent hospitals may be employed alike in winter and summer in all temperate latitudes; and

2d. "That they are *better* fitted at all seasons of the year for the treatment of the [sick and] wounded than more permanent constructions."

In the words of Mr. Husson, "It suffices that the experiments already tried have furnished results so favorable as to induce us to resolutely enter upon a cautious but complete investigation. In view of an innovation concerning which ideas are scarcely yet formed, it behooves us to guard against both a blind enthusiasm which excludes all criticism and leads to pure illusions, and against that excessive reserve which is equivalent to immobility."

DESCRIPTION OF A TENT HOSPITAL.

Taken chiefly from the Report of Dr. Edward A. Crane, printed in Dr. Evans's "History of the American Ambulance." [2]

In the plate appended may be seen a sketch of a tent designed by Dr. Thomas W. Evans, and in the construction of which, while endeavoring to secure those qualities particularly desirable in an installa-

[1] *History of the American Ambulance, etc.*, pp 478, 479.

[2] This work, being the Vol. I. of *Sanitary Associations during the Franco-German War*, is published by Sampson, Low, & Co., London, 1873.

tion that is to have a certain permanence, he has sought to remedy, so far as it might be done, the mechanical faults which are most likely to be reproduced in any attempt to construct a large, strong, sturdy tent, intended to be used as a sedentary hospital. This is, perhaps, the best model which has been thus far presented, of a tent designed for about sixteen patients. But fuller information as to the details of material and construction should be sought for in such discussions as those of Miss Nightingale, Sir J. R. Martin, Prof. Parkes, Captains Douglas Galton, M. Le Fort, and Dr. E. A. Crane. The pavilion proposed by Dr. Evans is constructed in the following manner:—

Six posts, square, four inches thick, eight feet seven inches long, are sunk into the ground two feet, on lines which are to correspond with the side walls of the hut. The second post is placed fourteen feet from the first, the third, fourteen feet from the second, the fourth, four feet from the third, for a reason which will appear; while the fourth, fifth and sixth, are fourteen feet apart. The sides of the tent are therefore sixty feet long. The upright posts are united on each side by square bars, rounded on the upper and outer angles, four inches thick; these are placed horizontally from the top of one post to that adjoining. The extremities of these bars are secured to the posts by means of sockets.

The two lines of posts are now united at each extremity by a cross-bar, which is square, four inches in diameter, and twenty feet in length. The two bars complete the inclosure of a quadrangle, sixty feet long by twenty feet broad. Each one of the end bars is propped by two upright posts, similar to those on the sides, placed four feet apart. These posts inclose the doorways. A vertical pole, nine feet five inches long, is now erected over the centre of each door-way, its foot resting in a metallic socket. This standard is five inches in diameter at its base, and three inches at the top, which is armed with an iron spindle; it is flattened on its outer face. Two masts, six inches in diameter at the base, and three inches at the top, and seventeen and a half feet long, are sunk in the ground one and a half feet, on a line corresponding with the long axis of the quadrangle, twenty feet apart. These masts are connected at the top, one with the other, as also with the vertical standard over the door-ways, by ridge-poles, three in number, and each twenty feet in length; the ridge-poles are rounded on their upper faces. The two end ridge-poles are fastened to the upright standards by being passed over the terminal spindles with which the standards are armed. The middle ridge-pole is attached to its fellows by means of sockets. The skeleton, or framework of the tent, is now complete. I have not remarked, however, an arrangement of considerable importance. Each one of the sixteen upright wall-posts, of the end standard, and of the ridge-poles, is furnished with a row of fixed metallic rings, whose diameter is about three quarters of an inch. These rings are screwed into the outer faces of the posts, six inches, or eight inches from each other, and all facing in the same direction, upwards and downwards; on the ridge-poles they face each other horizontally.

(See Figures 1 and 4.)

Such a frame-work having been erected, it remains to be provided with its covering. This consists of two sections, which are to be united when erected at the ends and at the ridge. Each section forms one long roof, two triangular gable ends, two end curtains and five side curtains. The curtains are all sewed on to the edges of the roof, and also to the edges of the gable ends. The sides and bottoms of the curtains are provided with button holes; so also are the vertical edges of the gable ends, and the superior edge of the roof; a narrow lapel projects beyond the line — the angle of the roof — where the roof and curtains meet; into this lapel are inserted the tent-ropes, two feet three inches from each other.

In erecting the tent, the sections are unrolled on the ground within the inclosure, the wall-curtains being drawn out toward the side posts, while the long straight edges of each — the edges containing the button-holes — are laid parallel to each other in the middle of the inclosure, along the line of its length. The long edge of one of the sections is now lifted up, and beginning at one of the extreme ends, the first button-hole is slipped over the spindle at the extremity of the standard over the door-way; the button-holes are fastened, one after the other, over the rings on the upper surface of the ridge-pole, until the edge of the section is adjusted along its whole length. The body of the section is then lifted up and over the horizontal bars — the plates of the frame-work — the curtains falling on the outside. The button-holes in the vertical edge of the gable end are adjusted to the rings in the standard over the door-way. The roof is drawn out by the cords attached to the lapel, and pegged to the ground in the ordinary way, or attached to parallel bars, as shown in the plate.

The curtains are now buttoned on to the ridge in the upright posts, one curtain edge over the other on the sides, the button-holes on the lower edge being passed over rings which are placed in the outer string-pieces on which the floor rests. (See Figure 1.) I may here say that, presuming it may not be always convenient to use a floor, the lower edges of the curtains are furnished with a series of loops, by means of which the walls can be pegged to the ground in the ordinary way. The canvas is held fast, and is prevented from slipping off the rings by passing a cord through the series, or by means of small keys, as shown in the illustrations.

I have elsewhere objected to the use of straps, buckles, etc., for curtain fastenings, because of the openings which almost always exist where such fastenings are employed; it is partly to reduce the number of such openings that the curtains have been attached permanently to the roof; it is for the same reason that the edges of two adjoining curtains have been buttoned, one curtain over the other, the edges of the curtains overlapping slightly for this purpose. In the curtain which rests upon the face of the post, the button-holes are four or five inches from the edge; the free border forms a roll beneath the outer curtain, in which the button-holes are close to the edge. The two curtains being pressed down solid by the keys, or the cord passed through the rings, this roll breaks or fills up the joints which would otherwise exist. The arrangement will be readily understood by a reference to Figure 2, where one curtain, *c*, is shown buttoned over the ring *b*, in the post *a*. The edge of the second curtain, *d*, is also buttoned upon *b*, and will be observed to have been

rendered slightly convex by the free edge of the curtain, *e*. Fig. 3 shows a section of the curtain, *e*, buttoned over the rings, *b b b*, with its free edge, *c*, rolled up. The curtain, *d*, may be brought forward and buttoned over, *b b b*, as shown in Fig. 2.

It is now necessary to arrange the fly. This is in three sections, each twenty feet broad, and about thirty feet long. It is in sections — *first*, that it may be the more easily adjusted; *secondly*, that the air between it and the roof of the tent may have a free outlet; this is desirable, not only because a better ventilation within the tent is thus maintained, but because the strain to which the fly, were it in one piece, would be subjected whenever the wind is high, is greatly lessened; *thirdly*, that, the season permitting, one or more sections may be advanced so as to form an awning in front of the tent. The three sections of the fly are placed upon the portion of the roof which we are presumed to have erected, each folded *outside in;* that is to say, each section being in its place, one half resting upon the portion of the tent it is to cover, the other half being thrown back over it. The fly having been thus placed for the moment, the section of the tent still supposed to be on the ground is lifted up, and beginning at the extreme end, the first button-hole is slipped over the spindle at the extremity of the standard over the door-way, and the button-holes, one after the other are fastened to the rings in the ridge-pole as already described. Before, however, the second section has been adjusted far, a small perforated block, or ball, two or three inches in diameter, is pushed down upon the spindle just mentioned, and the fly is pulled up, and the hole which will be found near its outer edge and corner is passed over the top of the spindle; as the second section of the tent is attached to the ridge-pole, the fly is drawn up and over on to the same side. Balls are placed on the spindles of the three remaining standards, after the two sections of the tent have been united upon them, and the flies are adjusted, as has already been described. The section of the tent is now brought forward over the framework, to which it is fastened, as in the first instance, and stayed out by cords similarly attached. The fly is then pulled down on either side, and fastened by cords to pickets driven into the ground, or to a bar, as shown in the Plate II. The fly is adjusted as in the common American hospital tents, except in not resting directly upon the ridge-pole; the balls placed upon the spindles separating the fly from the tent, permit the air to circulate more freely between it and the tent. (The ball is represented in Figure 4 by the letter *e;* its effect to separate the fly from the roof of the tent, *b*, will at once be seen.)

The tent, as now pitched, has four large unclosed openings; those at the ends are intended to be closed by light swinging doors; those at the sides with windows — not, however, necessarily, as will be seen by looking at the plate; a curtain can be drawn down to fill the space intended for the window, should it for any reason be difficult to obtain one. Ridge ventilation is provided for by louvres which can be opened or shut at pleasure. The ventilation will be chiefly secured, however, during cold weather, by the heating apparatus. During the warmer portion of the year, the side and end curtains can be rolled up, as shown in the plate; they are sustained by straps, which are employed when the tent is closed to attach the roof to the bars or plates which connect the upright posts.

The floor, if one is employed — and one always should be, if possible, in a permanent installation — it will be best to prepare before the tent is erected. The ground should be leveled; in fact, it would be well to remove six or eight inches of the top soil, and replace this with coarse gravel. Sring-pieces are then to be laid down lengthwise on the sides of the tent to furnish an attachment to the lower borders of the curtains; the other string-pieces should traverse the tent; they should be only large enough to support the floor, and should be forced into the gravel until their upper faces are level with its surface. When the flooring is laid, it will, therefore, rest directly upon the gravel. The floor will be made of rough unmatched boards, and it should always be covered by an impermeable oil cloth over its whole surface. Such a floor is perhaps as perfect as it is possible to have in a temporary hospital. It is solid, not dusty, contains no dead air beneath it; no foul matter can accumulate under it; it is non-absorbent of gases, and can always be easily and very perfectly cleansed.

But some one may ask, Why not allow the out-door air to circulate freely under the floor, as it did beneath the American barrack hospitals? This arrangement, permitting the out-door air to sweep them on every side, was supposed to contribute much to their healthfulness. But if the floor is impermeable, and contains nothing offensive under it, there is no reason why it can be desirable to secure a constant change of the air beneath it. Another and more weighty reason is this: if the out-door air were permitted to circulate freely beneath the floor of the tent, our ground heat during the winter would be lost. When the weather becomes cold, the tent should be heated by the introduction of hot air through a cellar and trench, the latter partially covered, and the heat being admitted through registers, as the tent pavilions of the American Ambulance at Paris were warmed during the winter of the siege. How important a factor this ground heat is, in the maintenance of a steady temperature within a tent was there shown. The doors, the upper portions of which may be furnished with windows, may be protected during the winter months by portals or vestibules. Paved gutters should be placed on each side of the tent. "It will be found advantageous to fix the tent in the manner indicated in Plate II by attaching the tent-cords to parallel bars; not only is the inconvenience of cordage avoided, but the stability of the tent is thus assured. The tent is intended to accommodate sixteen patients. There is room for eighteen beds, but it will generally be found convenient to suppress two of these to gain room for furniture, etc. A tent constructed like the one described would be greatly superior to the American hospital tent for the organization of sedentary hospitals. It is much more spacious, and is relatively less costly. To form a pavilion fifty-six feet in length, four United States hospital tents are required. The canvas of the six ends which meet is superfluous; it is more than this, it is decidedly objectionable. It serves to form dead corners, and offers a large amount of material to be impregnated and infected by miasmatic exhalations. Dr. Evans's model is also peculiarly well adapted to serve as an annex to a civil hospital, not only for the treatment of surgical cases, but to meet the requirements of certain epidemics — cholera for example — the mortality incident to which disease is largely controlled by the general sanitary surroundings; and this fact was never more strikingly illustrated than in the Crimea, in the very first large tent hospital ever established.

PLATE I.

FIG 1.

FIG. 2.

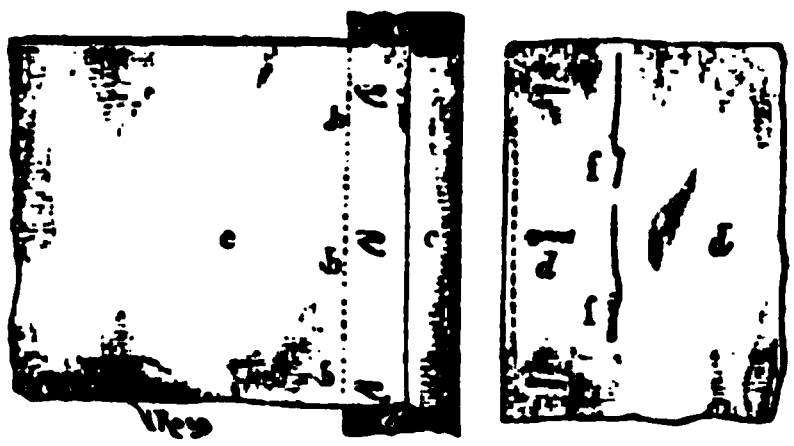

FIG. 3.

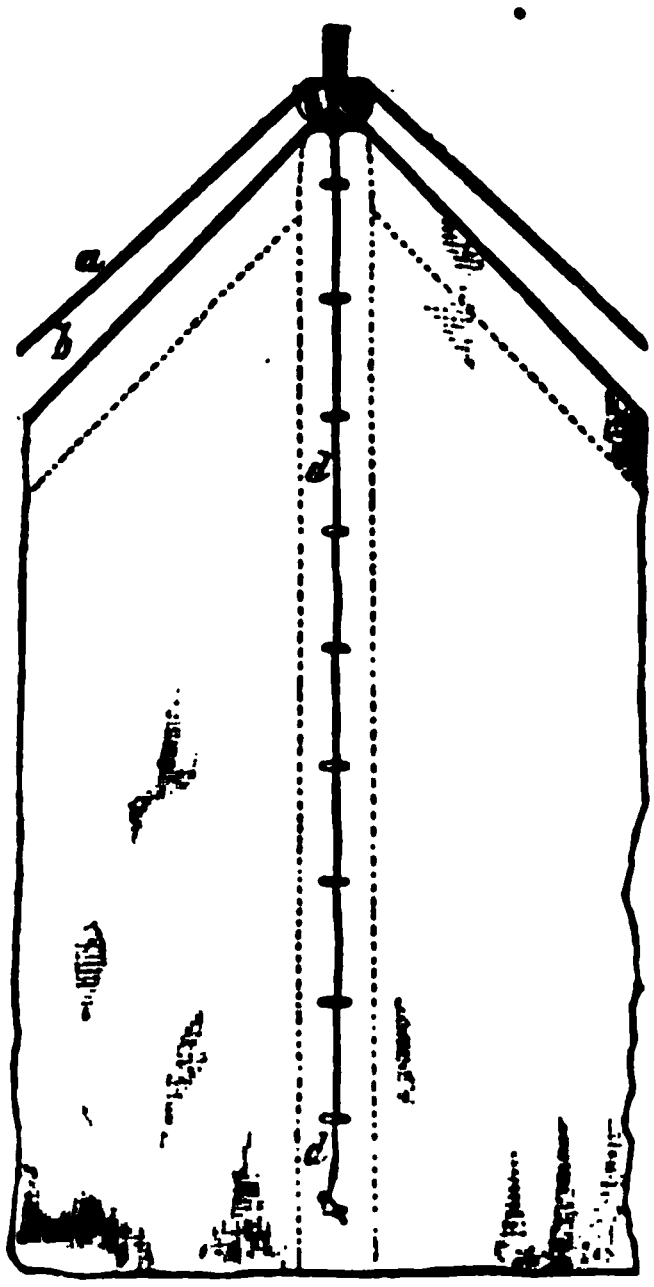

FIG. 4.

PLATE II.

THE DISCUSSION.

DR. ELISHA HARRIS. This subject is broader than the mere questions of humane charity to the needy sick, or of economy in such charity; for the public health is greatly concerned in the proper settlement of the principles and methods by which contagious and infectious maladies, like typhus, typhoid, and puerperal fever, scarlatina, relapsing fever, and small-pox, shall be rendered least harmful to populations among which they occur. The suggestions embodied in Dr. Jenkins's paper are eminently practical, for he presents a simple plan for the institution of small hospitals, or of hospital care upon any limited scale, from one bed to five hundred beds, to meet such exigencies as may arise in villages and cities, or in any other communities, though it be among woodsmen and miners, or work-people anywhere.

The importance of such readily organized and economical methods of care for the sick and hurt, and especially of sanitary protection for the residents of districts where the need of such humane care has come, is illustrated every few months in the vicinity of New York, and along all the great thoroughfares in our country. This need is felt, as well as that which is more permanently present, for the institution of "village hospitals." But as respects the temporary hospital, it must be devised upon some plan like this now suggested by Dr. Jenkins. Recently, and for a period of some eight months, small-pox has prevailed in numerous hamlets, and in great companies of work-people along the eastern counties of the State of New Jersey. In some towns the people have set apart an old house in the locality for a pest-hospital. In most towns no hospital or strict sanitary seclusion has been ordered. Yet it would have been easy to provide such sanitary care, and make it the occasion and means of teaching how to save life and stamp out a pestilence. In a populous and commercial town on Lake Champlain, there has been so great a pestilence of small-pox, the past two years, that vast public injury has resulted from the absence of such simple and temporary hospital facilities as Dr. Jenkins has here suggested. Even the mere purification and disinfection of the dwellings in which the sick were distributed, has cost more than an entire hospital and outfit that would have arrested the pestilence.

Even for so delicate a malady as puerperal fever, or so gentle surroundings as are required for the proper care of its victims, and for the protection of lying-in-cases, when and where the puerperal fever poison is prevalent, the temporary hut-hospital is a priceless boon to woman in the families of poor laborers. This might be thought the last of all resorts for safety; but in many a town, and among many a poor shanty population of miners, laborers, or others, we have witnessed the want of temporary maternity cottages.

Listen to Florence Nightingale as she rehearses the reasons for adopting the simplest kind of structure for maternity wards, after noticing the causes that destroy the lives of from three to four per cent. of all mothers whose accouchement occurs in ordinary Lying-in-Institutions. She proves that in the rude huts which are devoted to maternity patients at the military barracks of Shorncliffe, out of 702 cases of accouchement, not a death has occurred from any puerperal disease, and only four from accidental causes. She remarks

that "it is an old wooden hut, of the simplest construction, with thorough ventilation. It is situated on a rising ground close to the sea, and facing it, so that the sea breeze sweeps right through it."

In Colchester (hut), there have been 252 registered deliveries and no deaths.

Experience has proved the practicability of establishing cottage hospitals for villages, and of hastily extemporized hospital apartments and simple shelter, and means of perfect care for the sick or hurt anywhere. We have at the Staten Island Cottage Hospital — the "S. R. Smith Infirmary" — and at the "Cooperstown Thanksgiving Hospital," perfect examples of success in this village hospital; and in England we can now count twenty such examples; while in the line of temporary and most hastily extemporized open-air hospitals, what could be more instructive than the testimony of our sanitary and surgical service in the late war? Who that visited the fields of Antietam, and saw among the seventy collections of wounded soldiers that model of canvas, and floored shelter at "Smoketown," under Dr. Vanderkieft's direction; or who at Gettysburg saw the same practices repeated, or at Winchester saw the "Sheridan tent hospitals," will ever doubt the practicability of instituting perfect hospital care and securing the greatest saving of human life in the tent hospital?

In the Quarantine hospitals of the port of New York, in 1855–57, I caused the costly and imposing brick edifices which the State had made for hospitals, to be closed and locked, and removed all my patients into the narrow wooden shanties, which had ventilation at the roof, at the floor, and between all the beds. The mortality of small-pox, as well as fever, was only half as great in those narrow shanties as it had been in the costly piles of great broad halls in the brick edifices. The hospital ship, which was hastily fitted up under my superintendence in 1859, and which for ten years had an unexampled smallness of mortality, and never communicated any disease to the attendants and visitors, was flushed with fresh air, and was absolutely clean from stern to stem. It was an example of simple means which secure success in the care of the most infectious and deadly diseases.

In a report which Hon. Hamilton Fish, Senator from New York, made to the Senate some twenty years ago, there occurs the following recital of testimony in favor of tent hospitals. Having myself verified the facts by the aid of witnesses of the events recited, I beg leave to conclude these remarks by offering this as a kind of testimony which all citizens can fully appreciate. The chief portions of this testimony were contributed by Hon. James Parker and the late Dr. McKnight Smith of New Jersey.

. . . . . .

"In the month of August, 1837, a number of ships with emigrant passengers arrived at Perth-Amboy, N. J., from Liverpool. There was no hospital or other accommodation in town in which the sick could be placed, and no person would admit them into private dwellings, fearing the infection of the fever. They could not be left on board the ships. An arrangement was made to land the sick passengers, and place them in an open ward, adjacent to a large spring of water, about a mile and a half from town. Rough shanties, floored with boards and covered with sails, were erected, and the patients were taken from on board ship, with boats which landed as near the spring as they could

get, and carried them in wagons to the encampment (as it was called). Of the first thirty-six landed, twelve were insensible, in the last stage of fever, and not expected to live twenty-four hours. . . . . The number of patients at the encampment was increased to eighty-two. The ship was cleansed after landing its passengers, and, on board *four* of the crew were taken with the ship-fever, and two of them died. Some of the nurses at the "encampment" were taken sick with the fever, but they recovered. Of the whole number of eighty-two passengers removed from the ship, *not one died.* Pure air, good water, and perhaps the rain — (though only the first thirty-six were affected by it), — seem to have effected the cure."

The ship here mentioned was the *Phœbe*, with between 300 and 400 passengers. A number had died on the passage. The open-air hospitals at the encampment, which were erected in a single day, were two in number, thirty by twenty feet, and boarded up about four feet from the floor, on three sides, and an awning roof of old sails spread on poles above. The carpenters proposed to prepare the coffins which the first twelve (insensible and apparently dying) patients would require; but no coffins were needed. The four sailors who sickened on board the ship, after the emigrants were landed, were removed to a comfortable dwelling-house in town, received good medical treatment, and yet two of them died.

TRAINING-SCHOOLS FOR NURSES.

Dr. Jenkins, in his paper on Tent Hospitals, has referred to Miss Florence Nightingale, and her work in the Crimean hospitals and elsewhere long ago. It is not generally known in America, perhaps, what she has done since for the improvement of all hospitals, and the training of nurses. In tribute to her services among the British soldiers, a great subscription was raised in England at the close of the Crimean war; and the proceeds (some £50,000) were placed at her disposal, to establish a school for the training of hospital nurses, and a home for their support and protection. About the end of the year 1857, Miss Nightingale made over the control of this fund to the council of management whom she had before appointed, and of whom in recent years her brother-in-law, Sir Harry Verney, has been the chairman. In the spring of 1860, under the advice of Miss Nightingale, and in accordance with plans prepared by her, a small training-school for nurse-pupils (women) was provided for in the old buildings of St. Thomas's Hospital, in London; and on the 24th of June, 1860, the first fifteen pupils, or "probationers," as they are called, were admitted there. During the first two years thirty-nine pupils were received, of whom twenty-two completed their training of twelve months, and were registered as nurses. A considerable number of these graduates, then and since, have remained at St. Thomas's as regular nurses; and this is considered desirable for at least a year after they are registered as graduates. The cost of training these twenty-two nurses was about £1,800, or about $200 a year for each pupil who completed the course of training. At the date of the latest report we have seen (in May, 1873), the number of pupils in the St. Thomas school was about twenty-five; the whole number during the year preceding was fifty-six; and the yearly cost was something less than £2,000, or at the rate of something more than $300 a year for each pupil graduated and appointed as a nurse. At this time also the Nightingale Fund had accumulated to something like £53,000, — say $300,000 in our currency. The school is at present in the new hospital buildings, which were opened in September, 1871, and the "probationers" reside in a new house called "The Nightingale Home," opened about the same time with rooms for thirty-five nurse-pupils. The St. Thomas Hospital is by no means the largest in London, but contains about six hundred

beds, in something more than thirty hospital wards of various sizes. It is to this hospital and home that American ladies entered as pupils of Miss Nightingale's school would probably go.

There are, however, in England, several other successful training-schools for nurses, and one at Liverpool which has had from the first the aid and advice of Miss Nightingale herself. It was opened two years later than the Nightingale school above described (June 30, 1862), and had from the first the services of three or four of the graduates of that school. The Liverpool hospital, with which it is connected, is the Royal Infirmary, and in its first years the cost of maintaining a school of about twenty-five pupils was nearly £2,000 a year, or more than $400 for each pupil. The number of graduates seems to have been greater in proportion to that of pupils than in the Nightingale school; for at the end of 1864, after two years and a half of training, there were thirty-eight nurses actually at work, who had graduated at the Liverpool school. The cost of educating them had been less than £4,000, or something like $250 a year for each graduate. By the latest report of this school (for 1873), it would seem that a smaller number have graduated (only ten), and at a greater cost; but the exact figures of cost for each pupil cannot be made out from the printed reports. The number of nurses and nurse-pupils under pay at the Infirmary, on behalf of the training-school, was eighty in January, 1874; and their wages for the year had been £1,212; in addition to this, the cost of carrying on the school, and the home connected with it, had been £1,900. The wages of nurses were paid by the Infirmary, leaving only the cost of the home and school to be met by private liberality. This would seem to be now about £70 — say $400 in our currency — for each pupil of the average number in the school. At this rate, a school of fifteen pupils in Boston would cost about $6,000 a year, and one of twenty-five pupils in New York about $10,000 a year.

In connection with the Liverpool school, however, there has grown up a very extensive system of district-nursing among the poor at their own homes. The city, which is somewhat larger than Boston in population, is divided into seventeen districts, each of which employs one or more nurses; the whole number of trained and untrained nurses thus employed being about twenty at present. Their wages for 1873 were about £500, — say $150 for each nurse. The other expenses for district-nursing for 1873 were about £350; making the whole cost less than $5,000 in our currency. For this sum 4,034 poor persons were cared for in their various diseases; at the rate, that is, of a little more than one dollar for each case. Of these, 2,480 were cured, 330 were removed to the hospital or to the country, 550 died, 252 were dropped from the list, and 422 were under care at the end of December last.

Considering the small expense incurred, this is a remarkable statement of work done. In 1863 the number of sick poor relieved at their own homes was but 1,776; in 1871 it exceeded 6,000. We believe no such system of home-nursing for the poor has been established in America, though something is done in this way, both by public and private charity.

Nor has it been until within a year or two that training-schools for nurses have been opened in the United States. It may seem remarkable that the work of the Sanitary Commission in the Union army, and at the countless hospitals established during the civil war, should not have resulted in training women for nurses in ordinary hospitals, as was the case in England soon after the Crimean war. In fact, it did not; and yet Miss Schuyler, of New York, and several of the ladies of that city, who in connection with the "State Charities Aid Association" made the first movement for a training-school for nurses at the Bellevue Hospital, had been engaged in the work of the Sanitary Commission. It was not until 1873, however, more than a dozen years after Miss Nightingale had seen her school at work in London, that the New York training-school was opened under the charge of an English lady-superintendent. The general plan of the Bellevue Hospital school and home is very similar to that of the Nightingale school; and its success thus far has perhaps been as great, after making allowance for the fact that there was no Florence Nightingale in New York to advise and direct from an unequaled experience, and no such cooperation from the hospital authorities as was given at St. Thomas's. The New York school is now nearly twice as large as when at first opened in May, 1873; it has twenty-six pupils, who do the nursing in five wards of the Bellevue Hospital; and it has offshoots in Boston, Philadelphia, and New Haven, that are also doing a good work with fewer pupils. The Boston school was planned in the summer of 1873, and opened at the Massachusetts General Hospital in November of last year, at first with only eight pupils. This number has since increased to fifteen, and may be still further increased at the end of the first experimental year. The pupils live in a home near the hospital gate, and receive instruction in weekly lectures from the hospital physicians and surgeons, as well as from other physicians. Their daily duties as assistant nurses in the wards give them practical experience in nursing, while they are thus qualifying themselves by theoretical instruction. And, in spite of the many difficulties inseparable from the discipline of nurses in a large hospital under the divided allegiance which a training-school necessitates, American experience fully bears out what Miss Nightingale said in her "Notes on Nursing" many years ago: —

"With regard to an oft-disputed question, whether it is desirable to train

probationers entirely in a *public* hospital, I should say, without hesitation, it is there *only* that they *can* be trained; and every well-judging superintendent will tell you that the students, governors, steward, etc. (disagreeable as the collisions with them sometimes are), are the most valuable assistants in the training of her nurses. Whether in opposition or in kindness, she hears of all their shortcomings through the secular bystanders, which she would hear of in no other way. I have rarely known a nurse worth the bread she ate, whether religious or secular, whether Roman Catholic nun, Lutheran deaconess, Anglican sister, or paid nurse, who had not been trained under a hospital discipline, consisting partly of the secular man authorities of the hospital, and partly of her own female superior. I don't know which is the worst managed, — the hospital which is entirely under the secular men heads, or the hospital which is entirely under the superior of the nurses, whether religious or secular, whether male or female."

The experiment of providing trained nurses for hospitals, almshouses, district-work among the poor, and family nursing among all grades of society, has now been fairly begun in our country. In England it has succeeded, though by no means without many drawbacks and annoyances, as it had succeeded before in Germany and in France. It will succeed here, no doubt, if our country-women have patience enough to carry it through, and if our countrymen will do their part. As to its great necessity everywhere, nothing better can be said than was said by Florence Nightingale herself, in 1861, in a letter to the founders of the Liverpool training-school. These were her words: —

"Sickness is everywhere. Death is everywhere. But hardly anywhere is the training necessary to teach women to relieve sickness, to delay death. We consider a long education and discipline absolutely necessary to train our medical man; we consider hardly any training at all necessary for our nurse; although how often does not our medical man himself tell us, 'I can do nothing for you unless your nurse will carry out what I say.' All, rich and poor, have sickness among themselves at one time or another of their lives. It is singular that this necessity, which perhaps no one son of Adam has ever escaped, for himself or his belongings, is the only one we never provide for.

"Your plans are not only practicable, but promise extensive and invaluable good, — good which will spread to every town and district in the kingdom, if wisely inaugurated in Liverpool. Your district-nursing scheme especially deserves interest. I suppose every one will agree with me that every sick man (or woman) is better at home, *if* only he (or she) could have the same medical treatment and nursing there that he (or she) would have in hospital."

The facts above given in regard to the English schools have been taken from a set of reports and other publications lately sent to the American Social Science Association by Mr. Rathbone, of Liverpool, one of the managers of the training-school there. Through his efforts, and the courtesy of the managers of the Nightingale school, a place has been offered in the latter, as soon as a vacancy occurs, to some

well-qualified American lady who may wish to enter the Nightingale school as a pupil, and who is approved by the managers of the Boston school. The course of training is a year, as formerly; but a longer time could profitably be spent in the school, if it were permitted. It is to be hoped that one of our country-women fitted to receive the most advantage from the instruction there will avail herself of the opportunity thus afforded for a more complete training than can yet be acquired in any American school for nurses. In regard to the New York training-school, the "Tribune" has lately said: "The Nurses' Training-school, that has been established in Bellevue Hospital and which has been greatly extended since its inception, has furnished a large number of the best nurses in this city. Some of them are employed in the private hospitals, but the demand for their services in private families has been so great and the remuneration has been so much larger, that the hospitals have not been benefited so much as was expected. The numbers applying for permission to enter the school at Bellevue Hospital have been greater than their power to accommodate, and many have been turned away or obliged to wait until the next term."

F. B. S.

THE RELATION OF NATIONAL AND STATE GOVERNMENTS TO ADVANCED EDUCATION.

A PAPER READ BY ANDREW D. WHITE, PRESIDENT OF CORNELL UNIVERSITY, MAY 22D, 1874.

THE development of advanced instruction in our country thus far is a matter of which no patriot has much reason to be proud.

The University and Collegiate system originally transplanted to these shores, had as its centre the semi-monastic collegiate corporation which had survived the Middle Ages. Unfortunately, every condition of its growth was changed by that transplantation. Its historic roots were mainly torn away and it was pruned of all that was rich and beautiful in its Old-World bloom and fruitage. As to the exterior part, the Oxford quadrangle, with its provision for care of students, became, and has remained on this side the Atlantic, a barrack with no such provision. The Oxford Hall, with its noble appointments, became a sort of cheap dining-room. Instead of shady walks along the Cam and Isis, the college barrack was surrounded by a scrubby pasture.

As to the interior part, — the kernel hidden in this poor husk, — instead of the enthusiasm developed in the lecture-rooms of the Continental Universities, — instead of the steady work drawn out by the tutorial system of the English Universities, the cheaper methods of the English Dissenting Academies were adopted. So came that weary stifling business, so dear to pedants, but so fatal to advanced education, the "memorizing" of text-books and the "hearing of recitations." And to sum up all, instead of a group of colleges, bound together, stimulating each other, forming a single great university, the typical American institution for advanced education became, and in most cases has remained, a single college sadly deteriorated from its English pattern.

But, stunted as the plant was, it might have grown great but for a change in its new soil which produced a most disastrous change in its growth. The soil into which the English University System pushed its roots was the English Church. That Church was *one*, therefore the University System of England was one. Two great institutions grew up, large and robust. With all their defects they were strong enough to maintain the superiority of intellectual work through the most unintellectual period of modern civilization. They were sturdy

enough to stand firm against all the currents of Anglo-Saxon materialism. In the midst of the modern rank growth of an aristocracy of Birth and an aristocracy of Wealth, they lifted up on high an aristocracy of Intellect stronger than either.

But on this side of the Atlantic there was a different soil, a different atmosphere, and therefore a different growth. The roots of the higher education here were thrust down into various religious sects. As sects multiplied, colleges multiplied. Soon this multiplication began to show results most unsatisfactory. The main condition of success in advanced instruction is *concentration of resources*, but the sect-spirit led to the most wretched *scattering of resources*. Scores of feeble institutions were created, calling themselves colleges and universities: but all except a very few the most wretched caricatures of colleges and universities.

Nor was this the worst. The natural consequence of this sort of development was that the controlling principle in the vast majority of these institutions became love of sect-growth, and not love of individual growth. The main effort was to make learning "sound learning," — by which of course was meant learning in accordance with the methods and within the limits desirable for the sect in control. This was rendered all the more natural by the fact that various sects sometimes found their colleges convenient asylums for their unsatisfactory pastors, and their professorships comfortable shelves for men not successful in their pulpits. This was rendered all the more easy by a current superstition that if a clergyman is a dull preacher he is probably a profound scholar. The result was, that the strong and devoted men holding professorships were often hampered by incompetent men whose main function seems to have been to hear young men parrot text-books by rote in the recitation-room, and to denounce "science, falsely so called," in the chapel.

Such is the main outline of the development of the prevailing system of American collegiate instruction; and if its history is, in the main unsatisfactory, its present condition is mortifying.

This system of advanced instruction is now an old one. The time has arrived when it may be fully and fairly judged. It has been developing more than two hundred years. By this time, if ever, we may expect to see a great, strong growth, a luxuriance of beauty in bloom and perfection in fruit. But what do we see?

The last Report of the United States Bureau of Education gives the names of over three hundred and sixty institutions calling themselves colleges and universities. With very few exceptions these are without anything approaching complete faculties, without libraries worthy of notice, without collections of natural science, without laboratories, with

next to no modern apparatus or instruments. This is true of the whole country; but more especially true of all the States in the Union outside of the original thirteen.

But this is not the worst. Many admirable men stand in the faculties of these institutions — men who would do honor to any institutions for advanced learning in the world. After much intercourse with university professors of various nations, I feel assured that I have never seen any approaching in natural strength and earnestness many in our country, and I have heard this remarked by more than one among my thoughtful American fellow-students while sitting in foreign university lecture-rooms. These men of ours would, under a better system, develop admirably the intellectual treasures of our people and the material resources of our country; but, cramped by want of books, want of apparatus, want of everything needed in the higher education, — cramped above all by the spirit of the sectarian college system, they seem in many cases paralyzed.

I know whereof I speak. Within the last twenty years I have seen much of these institutions. Within the last seven years I have made it a duty to study them closely. In our Eastern States matters are somewhat better; but even in these the prevailing system gives few growths to be proud of, considering the age of the system. In most of the other States the results are wretched. Go through one great State after another; in every one you shall find that this unfortunate system has produced the same miserable results. In the majority of our States not a single college or university worthy the name — only a multitude of petty sectarian schools, each doing its best in the pulpits of its sect or the lobbies of its legislature to prevent the establishment of any system or institution broader or better.

The traveller arriving in a western State lands in a railway station costing more than all the university edifices in the State, and he sleeps in a hotel in which more capital is embarked than in the university endowment for millions of people. He visits asylums for lunatics, idiots, deaf, dumb, and blind, and he finds them palaces. He visits the college buildings for the young men of sound mind who are to make or mar the future of the State and finds them vile barracks. He inspects these asylums for those who are never more to be useful and finds them provided with the most perfect systems of heating and ventilation. He visits the dormitories, recitation-rooms, and lecture-rooms where live and move the young men who are fitting for careers of usefulness, and he finds them with systems of heating which poison the air and with no ventilation. He examines still further, and finds that the inmates of asylums have good food well prepared; he finds the inmates of colleges generally supplied with poor food wretchedly

prepared. He finds young men of sedentary habits and scholarly pursuits living in families where vinegar and grease are combined, by the worst cookery in the world, to form a diet which would destroy the stomachs of woodchoppers; in fact, insufficient as is the intellectual training at such places, the physical training is worse, for it tends to make the great body of students sickly and weak and morbid, rather than strong pioneers of good thought, and sturdy bulwarks against political folly.

I have not overdrawn the picture. I might go on to show other evils resulting from the wretched system prevailing in most of our States. I merely submit that the prevailing system of sectarian college or university instruction is proven by its past history and present condition to be utterly inadequate to meet the needs of the country, especially in the younger States of the Union; and it is in view of this past history and present condition that I present the following as my fundamental proposition: — *The main provision for advanced education in the United States must be made by the people at large acting through their legislatures to endow and maintain institutions for the higher instruction, fully equipped and free from sectarian control.*

I argue, first, that *the past history and present condition of the Higher Education in the United States raises a strong presumption in favor of making it a matter for public civil action, rather than leaving it mainly to the prevailing system of sectarian development.*

Now I have already shown how the prevailing system has grown, and into what it has grown; let me sum up by stating a few facts universally acknowledged.

As to Universities, our prevailing system has failed in two hundred years to develop one which ranks with institutions bearing this name in other civilized nations, — some of them of more recent creation than our own. The University of Berlin is younger than a multitude of American colleges. It was built up to its highest pinnacle by a nation which until recently was poor, struggling, and almost crushed by military disasters and financial burdens. Yet no one will claim that we have any institutions for advanced instruction to be compared with it.

As to schools of Mechanical and Civil Engineering, we have developed some which have rank in our country, but we have none which will take rank with a multitude of such schools on the Continent. To say nothing of older institutions like the French Polytechnic, we have no advanced schools to compare with the recent creations at Stuttgart, and Carlsruhe and Zurich.

As to Laboratories, all these years of work in America, mainly shaped by the prevailing system, have failed to give us one to compare for a moment with several recently erected at Leipzig, Berlin, and elsewhere, by government aid.

As to Museums illustrating science applied to the Mechanic Arts, all our collections combined would be but as the small dust of the balance compared with the single collection at the French *Conservatoire des Arts et Mètiers.*

As to collections to promote Æsthetic instruction bearing on various industries, if we were to add together all that our American university system has accumulated, and multiply the sum by thousands, we should have nothing to approach the newly created English schools at South Kensington.

As to various branches of instruction, we have had men in all departments equal to the best in Europe; but for want of a university system to give scope to their ambition, we have seen them very generally make the professor's chair only a stepping-stone to various professions; so that American students have been forced to go abroad for advanced study in almost every department. Even in the history of their own country, no full professorship of American History has been in operation in our land, and to study this history young men have gone to Europe to sit at the feet of Laboulaye at Paris, and Neumann at Berlin, and Kingsley at English Cambridge.

While I argue, then, that such a meagre growth for two hundred years under the prevailing system raises a presumption that it is a system not suited to this land and time, I argue that *the very brief history of unsectarian institutions and those fostered by State and National care strengthen the presumption that the latter is the system on which, at least outside the oldest States, we must rely for a higher education worthy of our country and time.*

The first good attempt to give to this country a true university as distinguished from the American deterioration of the English College was made by State action in the creation of the University of Virginia. The prevailing sectarian system profited not at all by this example. The great universities of Germany grew into their modern state, nurseries of the love of learning and the love of freedom; but the sectarian college system of America went on multiplying the usual poor imitations of English colleges, when public civil action gave the beginning of another university; the combined bounty of the National and State governments, wisely administered, gave to the country the University of Michigan.

As to Scientific and Technological instruction, our country waited for years after such advanced instruction was given in Europe; but there came only scattered and feeble efforts, and the first great and comprehensive system which gave a college for applied science to every State in the Union was established by the Congressional Act of 1862, supplemented by the various acts of the State legislatures.

As to the illustration of Natural Science, the one collection in the United States that has an acknowledged rank throughout the world, is the one fostered by the wise and careful bounty of the State of Massachusetts at Cambridge.

And as to education in Morals, — that very education of what is best in man, which is claimed as the especial *raison d'être* of the prevailing sectarian system, — the only institution which is popularly recognized as strong enough to impress into its whole teaching a sense of duty deep enough to hold its own against the immoral tides of these times, — the only one which, when graduates of all other institutions fail, is by common consent appealed to to give managers to our railways who will not plunder, investigators of our mines who will not lie, negotiators with our Indians who will not cheat, is the government college at West Point.

But I argue, next, that *careful public provision by the people for their own system of advanced instruction is the only Republican and the only Democratic method.*

While I hail with joy supplementary private gifts, when not used as fetters, I maintain that there can be no system more unrepublican than that by which a nation or a state, in consideration of a few hundreds of thousands of dollars, delivers over its system of advanced instruction to be controlled and limited by the dogmas or whimsies of living donors or dead testators. In more than one nation, dead hands stretching out from graves closed generations gone, have lain, with a deadly chill, upon institutions for advanced instruction. More than one institution in our own country has felt this grip and chill. The progress of civilization in the Old World has tended more and more to the building up of its education in accordance with the needs of living men rather than the anticipations of dead men. My position is, simply, that *if we are to govern ourselves in anything we ought to govern ourselves in this;* and that, if in matters of far less importance we will not allow our rights, duties, and wants to be decided upon by this or that living man, we certainly ought not in a matter of such vast importance as the higher education of our children to allow our rights, duties, and wants to be decided upon by this or that dead man.

Again, I argue that *public provision — that is, the decision and provision by each generation as to its own advanced education — is alone worthy of our dignity as citizens.*

What would be thought of a State which refused to build its State House from its State treasury, and, on the ostensible ground that private giving is good for the donor and honorable to the State, begged individuals to build its various parts? Should we not have a result exactly typical of what is exhibited in the prevailing system for advanced

instruction? We should, probably, if fortunate enough to get anything at all, find, after a century, an edifice perfectly typical of what has been given us in our similar system in advanced education? A Roman tower of brick here, a Gothic spire of stone there; a Greek pediment of wood here, a Renaissance cupola of iron there; a Doric column of porphyry next a Corinthian column of sandstone. No fitting approaches because no one had given anything so humble; halls too small and door-ways too narrow, and windows askew in accordance with this or that dead man's whimsey.

But this is the least. Suppose that we really get our building thus constructed; what would be thought of the policy which should leave the State building thus erected to be controlled forever, as to its use and occupancy, by living and dead donors, ancient and modern, and by their medley of ideas, forcible and feeble, crude and thoughtful, shrewd and absurd.

And if this system is incompatible with State and National dignity as regards a mere pile of stone and mortar, how much more so when there is concerned the building an edifice of the best brains and hearts of living men, and the control of a great system of advanced education in all its branches for the entire nation — for all generations.

Again, I argue that *by public provision can private gifts be best stimulated.* 5

We have had in our country many noble examples of munificence towards institutions for advanced instruction, but no one thing seems to have stimulated them so much as the public endowments which have aroused discussion and afforded objects to which citizens of all creeds could contribute as a patriotic duty.

Take, as an example, the Congressional grant of 1862, to National Colleges, for Scientific and Industrial instruction. The recent reports of the United States Commissioners of Education show that gifts have been aggregated about these nuclei to the amount of over eight millions of dollars. Let me refer to an example within this State of New York. The national grant was concentrated upon one institution, — the Cornell University. This encouraged thoughtful and liberal men to hope that something worthy of the State might be built upon that foundation, and the result is, that in eight years there had been added to that original endowment private gifts to the value of over a million and a half of dollars. And so far as I can learn, none of these gifts would have been made but for the object afforded by the national grant.

I argue, next, that *by liberal public grants alone can our private endowments be wisely directed or economically aggregated.*

No one conversant with the history of advanced instruction in this

country can have failed to see the wretchedly absurd way in which large gifts for advanced instruction have been frittered away under the prevailing system. There is hardly a State in this Union where the sums, large and small, that have been scattered among a multitude of petty sectarian institutions called colleges and universities, would not have produced one institution of great public value, had these gifts been directed to one object and aggregated about one nucleus.

Compare two Western States lying near each other, Ohio and Michigan. The State of Ohio has had every advantage over its northern neighbor as to population, soil, wealth, communications with the seaboard and priority of complete occupation; but as regards advanced education, it stumbled into the policy of scattered denominational colleges supported by beggary.

The State of Michigan took its National grant — developed upon that a State University, and from time to time its State legislature has added judiciously to the grant. Note now the result: the great State of Ohio has within its border not one college or university well equipped in any respect — not one which rises above the third or fourth class. On the other hand, the State of Michigan has a noble university of the first rank in our land, with over a thousand students; and, what is of vast importance, the presence of such an institutution has strengthened the whole system of public instruction throughout the State. No State has a more admirable series of primary schools and high schools — none has a better normal school — none has a better agricultural college. The system has been pronounced by thoughtful men from other States, the best in the Union; and the whole secret of excellence is that by a wise and liberal public endowment a proper direction was given to private endowment. The difference between the two States I have named is, that in Michigan a public endowment gave statesmanlike direction to private efforts, while in Ohio all was frittered away and scattered between the clamors and intrigues of sects and localities.

So much for the *direction* of endowments. Look now at their *aggregation*: take the facts as they stand — and I will mention cases well known. A weak denominational college in one of our States has received from a friend a great telescope worthy of the greatest institution in the world; but hardly any one else has given the institution anything. There is no gift of a well equipped observatory, or provision for an observer, and the telescope might as well never have been given.

On the other hand, another denominational college has received the gift of a splendid observatory; but no one has added a gift of money for a telescope and other instruments. So the prevailing system gives you at one college a useless telescope and at another a useless observatory.

I know of another denominational institution which has received a splendid geological collection; but as it has no provision for a geological laboratory, or for a geological professor, the collection would for all scientific purposes be as useful in Tartary.

I know another denominational institution which received from a denominational friend a splendid herbarium; but from the day it was received it has never been used, for the reason that no other member of the denomination has provided a Professorship of Botany.

I know another institution of this kind which has received an excellent collection in Mineralogy; but all appeals from the denomination to which it belongs have failed to secure an endowed Professorship of Metallurgy, and it would be money saved had the collection never been taken out of the earth.

Compare this with the example I have just mentioned. The nation gave a moderate grant of land for a university to the State of Michigan. The State legislature added to it judiciously. Thus was built up one great institution. The result is, that from various parts of the State, and from other States, gifts have been aggregated about the nucleus thus formed. Thus was provided both a telescope and an observatory; thus has its library been enlarged; thus were developed its illustrative collections. They are a matter of State concern and State pride, and individual gifts come in from all sides more and more to supplement public gifts.

The same in a less degree may be seen in several other universities; the only difficulty in these cases is, that public gifts have been too small to give the system a fair and full trial.

But I argue, next, that our *existing public school system leads logically and necessarily to the endowment of advanced instruction.*

For years the prevalent American practice has divorced the primary and secondary from advanced public education. Never was a system more illogical. Never did a system more fully show its unreason by its results.

Go to any teacher's institute; even in States where the public school system is best developed; you shall find that the directors employed to conduct it are obliged to ground multitudes of teachers in matters which children of ten years, under a good system, would fully understand.

Go to any college examination room, and you shall find that teachers in the public schools, endeavoring to enter our colleges, are constantly rejected for the most absurd blunders in simple orthography, grammar, and geography.

Go to our public schools, and you shall often find that while the teacher is administering English grammar theoretically to a few

scholars by formal parsing and endless memorizing of the rules, he is, by his ordinary conversation, teaching his whole school, practically, to outrage every rule of grammatical speech.

You ask, Why this low level in our great public school system? I answer, Simply because your teachers, as a rule, are those whose whole culture and power have been gained only in the public schools. As a rule, the teacher is too often a pupil who has barely learned enough in the school to be passed by a rural school committee. It is simply "breeding in and in," and that system of breeding will destroy any race, whether of kings, teachers, or beasts of burden.

Go now to any German public school, even the humblest: no text-book parrotting there — no mere work by rote. Why? Because strength and vigor are poured into them constantly; not from other schools of like rank, but from institutions above them, — from normal schools, high scientific schools, and universities.

When we attempt to divorce advanced from preliminary education, we are simply persisting in cutting the whole mass of branches and boughs and blossoms of education from the trunk; and when we succeed in rearing goodly trees by persistently sawing off all their upper growth and leaving the bare trunk, then and not till then can we have goodly primary and secondary public schools when we cut off from them the whole development of higher education. Again I cite the case of the State of Michigan. Its university, in which its whole system of public instruction culminates, has shed light and life into its high schools, and these, again, into the great mass of secondary and primary schools. The best graduates are constantly going into the teacherships of the high schools, and their best pupils into charge of the primary schools. These last, in their turn, send up their best men through intermediate grades to the university. The result is a system of which the whole State is becoming proud, — one which puts to shame the feeble anarchy prevailing in the education of most of her sister States.

If there should be public provision for any education at all, it should be a good provision; and there can be no good provision for any part of a system of public instruction which does not develop every part fully and all parts harmoniously. To be a good system, it must be a living system, and it cannot be a living system unless its growth be complete. If its highest parts are left to wither, its trunk and roots will wither also.

Again, I argue that the existing system of *public endowments for advanced education in matters relating to the military and naval service, leads logically to public provision for advanced education in matters relating to the civil service of the nation.*

If the preservation of the national honor is the ground for public provision in one case, it is the ground in the other. Nay, if the preservation of the national existence is the ground in one case, it is the ground, not less in the other. The number of persons in military and naval service is less than 20,000: the number of those in civil service, counting in National and State officials, is probably ten times that number.

See where the hap-hazard system of public advanced education, doled out to a great nation by various sects, has led us. From one end of the country to the other, there is not a regular permanent provision for really advanced instruction in the history of the United States. Look the whole number of 360 colleges through, and you do not find, save in one or two, any regular provision for instruction in Political Economy and Social Science. Take the plainest results as regards Social Science. Every year the cost is fearful. Nearly forty State legislatures, and nearly forty times forty county and local boards, dealing with matters relating to pauperism, crime, lunacy, idiocy, the care of the deaf, dumb, and blind, making provision regarding them at a cost of millions on millions, and very rarely with any fundamental study of the complicated questions involved. Yonder is England suffering from errors in these respects made centuries ago. Here are our States repeating many of the same errors.

Take next the simplest results as regards Political Science. Look at our national legislature, containing always a large number of strong men, and patriotic men; but the strongest of them often given up to theories which the most careful thinking of the world, and the world's experience as recorded in history, long since exploded.

But the analogy extends beyond the internal affairs of our nation and States, it extends to our external relations. I do not speak of the diplomatic service, though the want of higher knowledge with reference to that has long been felt, but I allude to an analogy of another sort forced upon us by these times.

I start again with the premise universally conceded, that public provision is necessary to fit men to take part in warfare by land and sea, to hold our country in the position she ought to occupy among modern nations. But the warfare to which men are educated at West Point and Annapolis, is not the only warfare between modern States. The greatest modern warfare is rapidly becoming an *industrial warfare*. Every great nation is recognizing this. But the most striking thing about it is a change in its methods. The old system of waging war by tariffs and bounties is yielding to the system of developing national taste and skill by *Technical Education*. That is the meaning of the great Expositions of Industry of the last twenty-five years. That is

the meaning of all the great institutions which modern states are providing for higher education in the sciences bearing on the various industries — education to enable nations to hold their own among modern states — education in civil, mechanical and mining engineering; in the application of the natural and physical sciences to agriculture and manufacture; in the arts of design as applied to various fabrics.

This warfare is as real as the other. The army engaged in this is larger than that engaged in the other. It is on our side eight millions strong, and the nation which leaves education regarding it to the driblets which can be wheedled out of individuals by sectarian appeals, will find that it has neglected some of its highest duties, and abdicated some of its noblest functions.

Again, I argue that *not only does a due regard for the material prosperity of the nation demand a more regular and thorough public provision for advanced education, but that our highest political interests demand it.*

From all sides come outcries against the debasement of American politics, and especially against gross material corruption. No doubt a great part of these cries are stimulated by sensation mongers: still enough remains to give much food for serious thought.

Now I assert that, as a rule, our public men who have received an advanced education, have not yielded to gross corruption. Understand the assertion. It is not that men who have not had the advantage of an advanced education yield generally to corrupt influences; far from it; some of the noblest opponents of corruption we have had, have been men debarred by early poverty from thorough education. But what I assert is this. Go among the men who disgrace our country by gross corruption; whether in City, State, or National councils, and you find the great majority of them in the class that has received just education enough to enter into the struggle for place or pelf, and not enough to appreciate higher considerations.

The preliminary education which many of our strong men have received, leaves them simply beasts of prey. It has but sharpened their claws and whetted their tusks; but a higher education, whether in science, literature, or history, not only sharpens the faculties of a man, but gives him new exemplars and ideals. His struggle for place or pelf is, as a rule, modified by considerations to which a man of lower education is very often a stranger. He is lifted up to a plane from which he can look down upon success in corruption with the scorn it deserves. The letting down in character of our National and State councils has notoriously increased just as the predominance of men of an advanced education in those councils has decreased. President

Barnard's admirable paper showing the relatively diminishing number of men of advanced education in our public stations, decade by decade, marks no less the rise, decade by decade, of material corruption.

This is not mere concomitancy, there is a relation here of cause and effect.

If we are to have more statesmen of that high type which is alone worthy of a republic, we must have better provision for educating the young men of rude strength who are coming up in all parts of our country, and especially in our great States of the West. We must provide an education that shall lift them above mere mammon-worship, into those realms where the great thoughts of great men give the atmosphere in which can best be cultivated a sense of duty to God and to country. To give better men for public stations, you must make provision for instructing our strongest young men which shall lift them above the prevalent idea of life among such multitudes of our successful men, — the idea that life is a game of grasping and griping for forty years, with a whine for God's mercy at the end of it.

And finally, I insist that *it is a duty of society to itself — a duty in the highest sense — a duty which it cannot throw off, to see that the stock of genius and talent of each generation shall have opportunity for development, that it may increase the world's stock and aid in the world's work.* 10

Of all the treasures of a state the genius and talent of its citizens is the greatest, but it is just that treasure which the whole history of civilized states shows that private cupidity and the law of supply and demand will not develop.

But I am met here first with an undue extension of the *laissez faire* argument. It is said that the best policy is to leave the building up of such institutions entirely to private hands; that such a plan educates the people to give — makes them self-reliant.

The latest form of this argument was put forth in the National Association of Teachers last year, at Elmira, in a speech by the president of one of the foremost of the older colleges.

Now I do not yet take up the question of a single national university at the national capital; but when the distinguished President of Harvard College condemns by implication — as in the speech to which I have referred he certainly does — all public provision for advanced instruction, whether by Nation or by State, I stand amazed. At its very beginning, the university over which he presides had aid from the State in which it stands, and it has not been slow to accept public aid at various periods since. In these latter days, its greatest glory — its Museum of Natural Science, is largely the result of constant applications to the legislature of Massachusetts. The whole country has rejoiced that the State of Massachusetts had the practical good sense

to grant funds for carrying on the great work of Professor Agassiz at Harvard. And they rejoiced, also, when the liberality of the State stimulated a noble growth of private liberality.

But this is not all. So far as the public has learned, there stands in the annals of that venerable university no record of any rejection of favors — even from the National Government. The benefits accruing to that institution from the Coast Survey are well known; and when rich spoils came to it from the dredging expedition of the *Hassler*, I remember no Spartan voice raised to repel them.

But grant that the argument against public aid is good at Harvard, it is good hardly anywhere else in this country. It certainly cannot be held good at Yale, or at Dartmouth, or at Brown, or at Rutgers, or at the University of Vermont, which received the national grant of 1862 for promoting the application of science to industry, and are making a most noble return for the gift.

Grant that Harvard can now dispense with public aid (although her recent history looks so little like it), it does not at all follow that the other institutions of the country can dispense with it. Close under the shadow of the palaces and warehouses of a metropolitan city, that institution, to the joy of us all, is the recipient of splendid gifts from princely merchants and munificent scholars. But how few of our colleges have the advantage of being near such a vast accumulation of capital.

Nor is this all. Harvard can afford to speak complacently to her young sisters, for she is enjoying the accumulations of two hundred years; but *are the Western States to wait two hundred years?*

Here is the whole question: the prospect held out to the younger States is, that those of their colleges which happen to be near great centres of wealth may, in a century or two, arrive at the position which Harvard has now attained.

But I come to the second part of the objection. Is it necessary that public provision be withheld in order that private persons may give and that public spirit may thus be cultivated? Even if it be so, I fail to see force in the argument. As well might President Eliot argue against any public provision for policemen, in order that individuals might toughen their muscles in fighting ruffians; or against any public provision for prisons in order that individuals might sharpen their minds in outwitting thieves. The history of the private gifts for education crystallized about the various public gifts and especially about that of 1862, shows that well-thought out, well-directed-public bounty like that in Mr. Morrill's Act, stimulates private bounty. It shows that Americans will give where they see something well-established to which it seems worth while to give. "To him that hath shall be given," is the rule for advanced education.

The *laissez faire* argument is good against government provision for those things which private persons may be fairly expected to establish and maintain from expectation of gain; but all history shows that advanced education is not one of those things. The greatest modern apostle of the *laissez faire* principle — John Stuart Mill — on this and other grounds, especially excludes education, in all its grades, from the operation of the *laissez faire* principle. He demonstrates that no nation has the right to leave education to the laws of supply and demand, or to the sums dribbled and doled out by ill-considered philanthropy. I give his words: —

"But there are other things of the worth of which the demand of the market is by no means a test; things of which the utility does not consist in ministering to inclinations, nor in serving the daily uses of life, and the want of which is least felt where the need is greatest. This is peculiarly true of those things which are chiefly useful as tending to raise the character of human beings. The uncultivated cannot be competent judges of cultivation. Those who most need to be made wiser and better usually desire it least, and if they desired it, would be incapable of finding the way to it by their own lights." "It will continually happen, on the voluntary system, that the end not being desired, the means will not be provided at all, or that the persons requiring improvement having an imperfect or altogether erroneous conception of what they want, the supply called forth by the demand of the market will be anything but what is really required. . . . . *Education, therefore, is one of those things which it is admissible, in principle, that a government should provide for the people. The case is one to which the reasons of the non-interference policy do not necessarily or universally extend.*" [1]

But, it is said, "*Universities publicly endowed will overshadow the existing colleges.*" Doubtless this would be the case with many of the weakest ones in the newer States; but is that a hardship? If there is anything in the matter of education for which Michigan and California, and Wisconsin and Minnesota, have reason to bless their early statesmen, it is just this creation of State Universities which have overshadowed the whole crop of little sectarian colleges and universities, or rather rendered them impossible.

While the whole work of feeble sectarian colleges might thus be weakened, I firmly believe that the really strong colleges and universities, even those which have grown up under the old system, would be greatly strengthened thereby. This is not mere theory, Look at the history of advanced instruction during the last ten years. Several of our older institutions were ten years ago in a state of torpor, or of very

[1] Mill's *Polit. Econ.* book v. chapter xi.

moderate progress, to say the least. What was the beginning of a new order of things at Harvard? Notoriously the famous pamphlet of Dr. Hedge, holding up the system and the work of the University of Michigan. From that publicly endowed institution in the West, came a very strong impulse to university growth, as distinguished from collegiate growth, in the East. The interest in university progress at Harvard and Yale, and Amherst and Princeton, and Union and Lafayette, and Washington Lee College and Cornell University, have unquestionably been aided by the spirit thus aroused. *What is wanted in this country is examples which will stamp into the mind of our people what a university ought to be.* Show an example of this sort to the friends of the really strong old colleges, so that they can really understand it, and they will give liberally to build up their older colleges as nobly as any new ones. Let any State develop its university never so high, the alumni of Harvard and Yale, and Columbia and Amherst, and Brown and Princeton, and Union and Rutgers, and others of like vigor, will not let their own colleges be behindhand.

Still another argument in opposition runs as follows: "No institution can be Christian unless there be some denominational dogma as its basis; a publicly endowed institution cannot accept any denominational basis, therefore it will be infidel or atheistic," — or to put it in shorter form, "*a university must be sectarian in order to be Christian.*"

To say nothing of other difficulties, one fatal difficulty with this argument is that it proves too much. As Bishop McQuaid, of Rochester, recently urged with great cogency, this argument, if good for anything against institutions of advanced instruction, is far stronger against our whole common school system. The simplest view of the subject shows us that there is far more reason for requiring sectarian schools for children, who cannot provide for their own religious wants, and who are at the most tender and impressible period, than for young men whose fundamental ideas have been, in great measure, formed and who have free access to multitudes of devoted clergymen and to the Christian associations, and various good appliances common in a Christian country.

But it is said, "*Institutions for advanced instruction are for the wealthy — for rich men's sons — and not for the poor.*"

Nothing could be more wide of the fact. The rich man is indeed vastly interested, *indirectly;* for thorough provision for advanced education will raise up a thoughtful class of men who are the natural enemies of all the wild theories which tend to desolate society; but if any person is more than another fully and directly interested, it is the poor man. The rich man can send his son to another State, or to another country; the poor man cannot. The doctrine I advocate is the only one which in many parts of our country can insure a worthy edu-

cation to the sons of poor men. The whole experience of the world shows that from the ranks of poverty comes by far the greater part of the genius and talent and energy of the world. In the great majority of our States, this great class, disciplined by poverty, have no chance for any advanced education, either in applied science, or in civil engineering, in mechanical engineering, or in mining engineering, or in kindred departments; and very little chance in any other, unless there be public endowments for advanced instruction.

But it is said, "*Your legislatures and public authorities will manage such trusts badly, and appoint unfit persons to professorships.*"

Some will at first, most will not. Save in one or two cases, no such charge can be made against State management of over thirty-four State universities and colleges, and a still greater number of normal schools. Nor is it made against the management by the United States of the National Academies at West Point and Annapolis, or the Smithsonian Institution under the very eaves of the National capitol. Favoritism and mismanagement are likely to be far greater in the great brood of denominational colleges, each one of which has to propitiate the "leading men of the denomination."

And now, in conclusion, let me sum up briefly and show, if I can, what our practical policy should be in carrying out the general principle I have advocated. Let us see if we cannot get out of the realm of theory into the realm of practice.

And first, as to practical dealings with the question *in the newer States.*

Now there is one very fortunate thing in this whole matter, and that is, that as regards public provisions for education in the new States, there is already a National and a State policy, based on the right principle and tending in the right direction. It has not been carried out with sufficient liberality or sufficient continuity; still it has been always in one direction, and that is, I think, the right direction.

In accordance with this policy the Congress of the United States gave the newer States, first, a grant of land to serve as a nucleus-fund for primary and secondary instruction.

Secondly. Congress gave these States a grant to serve as a nucleus-fund for University instruction.

Thirdly. Congress has given to the new States as well as old a grant, to serve as a nucleus-fund for instruction especially in sciences bearing on the great industries.

This national policy has been supplemented by a State policy. All of the nucleus-funds provided by the nation have, as a rule, been increased by the States receiving them.

This National and State policy, thus in harmony, has begun to be

crowned by an individual policy. Already individuals are beginning to aggregate gifts about the funds thus provided by the nation and the State.

Here, then, is a policy distinct and consistent.

So far as it has been carried out it has worked well. The only difficulty is, that it has been carried out too slowly and timidly; what I advocate is, that it be carried out firmly and logically. I would have Congress strengthen the foundations it has laid in these States — thoughtfully and liberally — in view of the vast populations that are to reside in those States and in view of the absolute necessity of having strong centres of enlightenment in those vast populations.

Next, as to State policy, I would have it go in the same direction as heretofore, but with a liberality and steadiness showing far more foresight, I would have those States build up higher — upon the foundations laid by national grants — their public institutions for advanced instruction as distinguished from private sectarian institutions. I would have each State build up the one institution under its control rather than the twenty under control of dioceses and conferences, and synods and councils, and consistories and presbyteries, and denominational associations of various sects.

I would have Michigan develop more completely her excellent agricultural college at Lansing, and add a department of technology and a mining school to her university at Ann Arbor. I would have Illinois strengthen her industrial university at Champaign, and Arkansas hers at Lafayette. I would have Missouri strengthen her State university at Columbia and her mining school at Rolla, and Iowa strengthen her State college at Ames, and Minnesota her State university at St. Anthony, and California go on as she has recently done so liberally in strengthening her university at Berkeley, and Kentucky hers at Ashland, and so with the rest.

This is a policy which may be sighed over or scolded at by those whose whole system of public action consists, not in promoting a practicable plan, but in sighing over or screaming at everything supposed to contravene ultra doctrines of non-interference and the ultra *laissez faire* policy, but it is a policy which will give us thorough provision for advanced instruction — and, judging from experience, the only one.

Let me sum up now the whole case in one statement, based on facts presented in public reports, which I ask you as thoughtful men to ponder.

In not one of the States outside the original thirteen has there yet been established, by private enterprise or sectarian zeal, a college or university with a faculty approaching completeness as to numbers, or with a general equipment which reaches mediocrity. In the whole

number of such sectarian institutions there is not one complete faculty — not one library, laboratory, observatory, or illustrative collection worthy of even the third rank — even judging by our American standard. This is the outcome of nearly a century of effort under the principle of scattering resources for advanced education in accordance with the demands of sectarianism, rather than concentrating them in accordance with the plans of statesmanship.

So much for the great new States.

Turn now to the *older States;* what should be our policy with them? Wise statemanship dictates that we be not fettered by a single theory or doctrine, no matter how good in the abstract. The older States having had more time for developing institutions for advanced instruction, and not having scattered resources with such utter prodigality as the new States have done, have built up a small number of colleges and universities of real strength. On these foundations I would have public grants and private gifts combined.

Here too, fortunately, there is a well-defined National policy, and to some extent a State policy.

The National Government acted in accordance with it when it gave the grant of lands for general and scientific and industrial education in 1862, and the States acted in accordance with it when they appropriated that grant, — Connecticut to Yale, New Hampshire to Dartmouth, Vermont to the Vermont University, New Jersey to Rutgers, Massachusetts to the State Agricultural College and Institute of Technology, Rhode Island to Brown University.

In view, then, of the facts and arguments which have now been presented, I sum up all in these two following statements: —

First. In the older States the only chance for the creation of real universities lies in the concentration of public and private aid upon a few of the strongest foundations, — developing them into universities worthy of the name, and leaving the weaker institutions to become intermediate colleges.

Second. In the Western and Southern States, the only chance lies in the establishment and maintenance, by public grants, of State institutions for advanced instruction, forming part of the general educational system, thoroughly equipped and free from sectarian control.

THE DISCUSSION.

The Rev. Dr. McCosh, of Princeton College, discussed the merits of the paper read, and disputed strongly the position taken by Professor White. He said: —

I am very much obliged to the Association for inviting me to take part in the discussions, and as I have only ten minutes to go over the ground it is

[illegible] INVESTMENTS

[illegible]

[illegible] Middle States. [illegible] of [illegible] for the purpose of [illegible] [illegible] We have now three [illegible] [illegible] among them [illegible] different [illegible] Now, sir, we have these colleges, and let them go on, let us call forth the liberality of the people, and I believe you will get that liberality. I was told when I came to Princeton to go down to the State of New Jersey and get aid. I said, "I am much obliged to you,

but I would rather prefer to throw myself upon the people." I might have got $10,000 from the Legislature. I went to the people and got $1,100,000. Instead of lobbying for months together at the Capitol, with professors leaving their institutions, going up to live at hotels, as some have done (they left no pupils behind them though) — (laughter) — till I believe the whole Legislature was disgusted with them, — I say let us cast ourselves upon the public and the fittest of us will survive. It is a curious thing that a foreigner should be obliged to defend your American colleges; but I am able to compare them with the colleges of the Old World, and I believe they will compare favorably with the best of them. Take Oxford and Cambridge; they are colleges in an old and wealthy country, and they don't educate many of the people of the country, but I am prepared to say that the average body of students coming out of the ordinary American colleges is quite equal in scholarship to the average students that issue either from Oxford or Cambridge. (Applause.) I have lived within the walls of these colleges, and I know perfectly that there is a large body of young men coming out from these colleges that are inferior, I say it deliberately, to the men that are coming out from these colleges in the Western States. (Applause.) I know that we are deficient, and there should be a higher standard set, and I hope that there will be, for there is one point in which the German colleges are superior to ours: they educate a small body of men who devote themselves to literature and science more thoroughly than they do in this country. The colleges of the Old World educate a select few and take them higher, and that is just what I am trying to do at Princeton with my $1,100,000. Let us go on just as we are doing. Mr. White referred to Princeton when he spoke of a college having an observatory without a glass. I would assure Mr. White that it has an astronomer worth both observatory and glass together, and the gentleman who had given the observatory promised, when his means should afford it, to supply a glass also. It has been said that I am opposed to agricultural colleges. I am not their enemy. I am the son of a farmer and in favor of every development in agriculture, but I don't believe that to give money to agricultural colleges will tend to promote farming, and I believe that can be left to the State. In the old country these agricultural schools do not promote farming, and if I had a young man that I wanted to train as a farmer I would not send him to an agricultural school. I would send him to a college, to a school of science, and let him learn there all the branches of science, and then send him out to the farm or the workshop, and he would do far better than if trained in an agricultural school. But leave all this to the States and to private liberality. The education of the mind should be the grand aim of all universities, and the development of the arts will soon follow in its train.

Dr. Tulloch, President of a College at the University of St. Andrew's, Scotland, said it was a traditionary feeling in Great Britain that the State should help the institutions of learning. Recently statesmen, and notably Mr. Robert Lowe, had strongly opposed this principle, arguing that the State should look out for the lower educa-

tion and leave the higher to take care of itself. But that principle had little support among educated men. He had no knowledge of American colleges sufficient to warrant him in giving an opinion as to the qualifications of graduates from them, but he had information that there was a state of disorganization among American colleges. There were twenty-two colleges, he was informed, in the State of New York, and it was impossible for one half of them to be effective. A large number of colleges could not do even ineffectively what one good college would do perfectly. He would encourage the highest learning, but there should be one central academic influence. There were four universities in Scotland, and he believed they were too many. He was connected with one of them, an institution which had some antiquity, since it dated back as far as 1411, and although it was the smallest, it was the oldest. England was only a limited country, while America was an unlimited country. The public schools of this country were, in his opinion, good, well-ordered, and systematic. He did not see any reason why the nation should not bring up its youth to that advanced system of education which should make them examples to the civilized world in the conduct of their public duties instead of being a disgrace. They should carry into their public offices the highest ideas, working not for themselves or their party, but for the world. To accomplish this is something worth aiming at. Anything that the State or National Legislatures could do to procure this end was worth the trial. Private liberality is the growth of American life, and is a spirit of which America may well be proud. Every State, however, should have its University as a central power, for without academic control such advanced education can hardly be arrived at; but how such State Universities are to be founded without State aid he was at a loss to determine.

PRESIDENT WHITE'S ANSWER TO PRESIDENT MCCOSH.

[The following reply to Dr. McCosh is based upon notes carefully taken when his remarks were made. It may be that Dr. McCosh's comparison of American with foreign Universities has been modified in the report for publication; but as Mr. White has not seen that revision he has replied to the original statement.]

Dr. McCosh first objects to the term "sectarian college," and asks what I mean by it. I can easily answer him. A sectarian college is a college controlled by any single sect, or combination of sects. Sometimes this control is exercised by giving the favored sect a majority of trustees or professors, sometimes by requiring the president to be a clergyman of a peculiar sect, sometimes by organizing the controlling body at the beginning in the interest of the sect and then keeping it a close corporation. Unfortunately, the answer to the learned doctor's question is written over the whole history of American

education; and in letters very big and black. From the days when Henry Dunster, the first president of Harvard College, a devoted scholar and earnest man, was driven from his seat with ignominy and cruelty, because he had, as Cotton Mather declared him, "fallen into the briars of anti-pedo-baptism," the sectarian spirit has been the worst foe of advanced education.

But if Dr. McCosh thinks examples of this sort too old, I will point him to some well known in our time. One of the most honored college presidents of New York was driven out of his professorship of natural philosophy in a New England college because he was an Episcopalian; one of the most honored college presidents of New England was driven away from a professorship of Greek in a New York college because he was a Unitarian; one of the most renowned college presidents in the Western States was excluded from a professorship in the State of New York because he was a Presbyterian; one of the main University presidencies in New England remained in these latter years vacant for a long time. Why? There were scholars, jurists, statesmen, in that Commonwealth who would have done honor to the position. Why were they not called? Simply because the statutes of the University required the presiding officer to be a Baptist. One of the most important colleges in the State of New York rejected one of the best modern chemists because he was not of the required sect; a noted college in a neighboring State rejected one of our most noted astronomers and mathematicians for the same reason. Nay, within a few years I have had personal knowlege, as a trustee of the college concerned, of the following case. The college had suffered long for want of a professor of rhetoric and English literature, upon a foundation already endowed; a man of the required sect was at last found, admirably fitted; this man was rejected. Why? Simply because he was not of a particular party in that particular sect.

Does President McCosh wish to know what an unsectarian university is? I point him to the character given by the State of New York to the university which I have the honor to serve. It contains the following clauses: "Persons of any religious sect, or of no religious sect, shall be equally eligible to all offices and appointment." And again, "No person shall be accepted or rejected as trustee, professor, or student, on account of any religious or political views which he may or may not entertain."

But Dr. McCosh praises Yale College, and asks whether I consider that a sectarian college. Let me say here to the doctor, that while I may be willing to sit at his feet to learn some other duties, I cannot acknowledge him as my instructor regarding my filial duty to my Alma Mater. Among all her sons, no one loves her or respects her more than I, and my love and respect for her grow with the years, because I see that she is nobly working out of the sectarian fetters which her early history threw about her. She has appointed several men to professorships without compelling them to submit to any tests of orthodoxy whatever. In her faculty may to-day be found men utterly at variance with the theology which she has been supposed to represent. She has never lost her presence of mind in view of Darwinism, nor has she ever allowed a scientific professorship to remain vacant for fear that she might find in her faculty a believer in evolution.

Dr. McCosh has expressed fear that trouble might arise from difference in belief among professors, and thinks some one religious body must be in con-

trol. To show how little he understands the problem as it has been wrought out in this country, I can point him to the University of Virginia, the University of Michigan, the Cornell University, the Industrial University of Illinois, the normal schools and National colleges in the various States which have gone on perfectly easily and smoothly under the system I advocate, and with infinitely less of religious quarreling than has taken place in several colleges under the guidance of a particular sect.

Again, he objects to any dependence upon State and National aid, because he says their officers would be obliged to present their cases to the State Legislature, and there would be "lobbying;" and he draws a picture of the wretchedness arising from university officers taking part in this business. But there is another picture far more wretched. It is the picture of college presidents and professors inflicting themselves *ad nauseam* upon the pulpits and parlors of their particular denomination "to present the claims" of their special sectarian college; the picture of college officials paying contemptible court at the tables of rich members of the sect to catch some drippings for their respective colleges; the picture of professors of colleges driven to watch for legacies at the hands of aged widows and spinsters. This is a picture infinitely more sad than that of the college officer as a citizen presenting the claims of advanced education to the Educational Committee of the Legislature, or to its various members, and enforcing upon them the duty that the State owes in the education of its citizens.

And finally, the doctor gained some applause, apparently from undergraduates collected in the hall where he spoke, by the assertion that American colleges and universities send out graduates as well prepared as do the great foreign universities. The doctor possibly mistakes me. I made no reference to the smaller Queen's colleges of Ireland. If he says that the scholarship of their students at graduation is lower than that in our American colleges, I shall take his word for it, and pity Ireland all the more. But if he meant that our American universities, any of them, graduate men on an equality, as regards scholarship, with the great universities of the Old World, I will not put assertion against assertion, though my experience among those universities as a student (I state it simply as a matter of fact) is greater than his own, but I will simply point to facts which utterly disprove his assertion. If his assertion be true, why is it that a stream of the foremost scholars of our foremost universities sets steadily toward the great universities of the Old World? Why do our best graduates of Harvard, Yale, Michigan, Princeton, Cornell, and Columbia, and all the rest, constantly go abroad to perfect themselves in these same studies? Why was it that the late presidents of Harvard and Yale, and their present presidents, both pursued their studies abroad after graduation at home? Why is it that almost every professor of note in our leading colleges, in every important department, has perfected his studies abroad after graduating at home? To provoke the applause of undergraduates, Dr McCosh's assertion was good enough, and he appears to have learned early how to minister to the American appetite for praise; but as a statement soberly made before a body anxious to get at the truth of the matter, and to do something to help on advanced education in this country, it seems to be utterly unworthy.

CORNELL UNIVERSITY, *August*, 1874.

SOME CONCLUSIONS RELATIVE TO PUBLIC LIBRARIES.

A PAPER BY WILLIAM W. GREENOUGH, ESQ., OF THE BOSTON PUBLIC LIBRARY BOARD. READ MAY 22, 1874.

IN discoursing upon the very general subject of Public Libraries, it is proper at the outset to define the term, now applied in common to many descriptions of collections of books, either placed within reach of the whole community or of a part thereof, upon very different conditions. The term at the present time conveys no exact idea of the library designated, without some further description, indicating the motive of its formation and support, and the manner in which its books are used. The British Museum, and the National Library in Paris, are both public libraries, and so are the Liverpool and Manchester libraries; but these latter are mainly free lending libraries, while the former are reference or consulting libraries. The Astor Library in New York, the Congressional Library at Washington, and the Public Library of the city of Boston, are three public libraries whose functions are discharged in entirely different ways.

In undertaking, then, to present any general treatise upon the subject assigned me, it would be necessary to make such an analysis of all the different forms of public libraries already known, as should classify, separate, and group them according to their organization, support, and use, and then, for the immediate purpose, to select some one class or group more especially and particularly connected with social progress. The subject is too large to be treated in any smaller compass than a volume, and I therefore will prescribe to myself for present examination the forms of the public lending library principally developed in the United States, and endeavor to arrive at some conclusions relative to the educational and other work which has been performed by them, and to their appropriate relations to the body politic which is taxed for their support.

Before proceeding farther with the subject of this paper, it should be premised that one can hardly say anything novel on the subject of libraries, or lay down any new principles relative to their increase or development. One may simply note the events of the past, in connection with the great movement which has so largely increased, during the present century, the great libraries of Europe, and which has cre-

ated the more modern form of the popular library, both in Europe and the United States. The enormous production of printed matter which has kept pace with the years of this century, had its first result not only in spreading books more widely among private purchasers, but also in producing immediate accessions in large numbers to the old established collections. This fact is more especially observable during the past twenty-five years. Of few European libraries, before the year 1849, were there any reliable estimates of the number of volumes therein contained. Even at the present time, the figures given for the contents of some of the larger libraries are only approximate. From the best authorities upon the subject, I may venture to present to you some of the results in the period which I have named as denoting the progress of the ten principal libraries in Europe. In 1849 and 1874, there were upon the shelves of the

	1849. Volumes.	1874. Volumes
National Library, Paris	824,000	2,000,000
British Museum	435,000	1,100,000
Imperial Library, St Petersburg	451,532	1,100,000
Munich Library	606,000	800,000
Berlin, Royal Library	410,000	600,000
Vienna Library	313,000	600,000
Copenhagen Library	412,000	500,000
Bodleian Library	220,000	300,000
University of Cambridge Library	166,724	250,000
Advocates' Library, Edinburgh	148,000	300,000
Aggregate	3,980,256	7,550,000

In 1849, it was estimated that the whole number of books in the seven public libraries of Paris was 1,474,000, while, in the same year, all the libraries of the United States, other than private, were computed to contain 980,000 volumes, — being nearly 500,000 less than were to be found in Paris.

Another large accession to these figures since 1849, has been derived from the foundation of the various popular libraries in Europe, particularly in England and France, and the establishment of the same class of institutions in the United States. For our own country, the data given in the report of the Commissioner of Education for the year 1872, afford the most astonishing evidence of accumulation. His tables of libraries other than private, — State, territorial, town, city, court and law, school and college libraries, — present the enormous aggregate of 19,456,518 volumes; while at the same time it is claimed that the other libraries of the country possess the still larger number of 26,072,420 volumes. When either of these grand totals is compared with the estimate of 1849 (980,000), one is either tempted to question the accuracy

of both estimates, or is naturally astounded at the wonderful development of the country in this branch of culture.

It is nevertheless obvious that the large figures are really approximative. While in 1849, according to Mr. Edwards's tables, the provision of books publicly accessible for every 100 individuals was in Saxony 417 books, in Denmark 412, in Prussia 200, in France 129, and in Great Britain only 53, there are to-day, according to the figures given in the tables of the Commissioner of Education for the same number of population in the States and Territories of the United States accessible in a similar manner, about 50 volumes; in the State of Massachusetts 138, in New York 80, in Pennsylvania 86, in Ohio 50, in Illinois 36. If reliance is to be placed upon these figures, there is yet much to do in obtaining a sufficiency of books to meet those necessities of our people for which provision is supposed to be made in public libraries. But this number of volumes, as proportioned to our population, gives no idea of the convenience of access and the real extent of use

It is hardly thirty years since the relations of libraries to popular education began to be recognized, and systematic arrangements were made, first in England and afterward in the United States, for the formation of free consulting and lending libraries. In England, these were developed at Manchester, Liverpool, Birmingham, Sheffield, Leeds, and other important centres of population. Under our system, differing somewhat from the English type, we have witnessed the formation of the Boston Public Library, and other town and city libraries in Massachusetts; of the Astor in New York, the Peabody Institute at Baltimore, and the more recent beginnings of large libraries in Cincinnati and Chicago.

Of the function and use of the large consulting and reference libraries of this country, I do not propose to speak, — but to ask your attention to the form of the library most closely connected with popular cultivation, — the Free Lending Library. This form of institution differs somewhat from others in the details of its organization and support, — owing its foundation either to private benevolence or to public endowment, or to a union of both; with funds for the annual purchase of books either derived from the income of invested donations, or from local taxation; and the annual expenses of administration being contributed mainly from town or city appropriation. The foundation and maintenance have the direct object of furnishing to the reading population of a district a collection of books suitable to its wants, either for reference at the library building, or for use at home. This constitutes the public library at the present period, as it has grown up to meet the requirements of the time, and to make itself felt as a daily living supplement to the intellectual progress of the community.

To indicate how this result has been obtained, in the single generation which has covered the careers of most of these institutions, it may be proper to indicate a few of the principles which experience has shown to be important in their beginning and continuance, as well as those needed to fit them for their highest and widest functions:

I. In the original foundation of the library, it is obviously desirable to obtain in proportion to its funds the largest number of books useful to the largest number of people. The catalogues of the collections now organized upon the lending system will readily give this information.

II. From an examination of the results obtained in England, France, and New England, is derived the conclusion that, with one third of the collection of books in fiction and juveniles, and the other two thirds in history, biography, science and art, travel, poetry and miscellaneous literature, the former portion will furnish seventy-five per cent. of the circulation. One observes further, that the larger the proportion of fiction and juveniles, the larger will be the average circulation of books among borrowers.

III. The more intimate the relations of the library to the expressed wants of the community, the more successful its administration will be. These wants must be ascertained through a system, to be made known to the borrowers, by which every proper book, consistent with the means of the institution, shall be purchased on request. In some of the larger libraries printed forms are furnished to the applicant, and the keeping of a daily record of such requests forms part of the regular library routine.

IV. The wants of different districts and communities, while essentially the same in the more important subjects and authors, differ much in the minor classes of literature of supposed popular interest.

V. The smaller the library, the more carefully should be exercised the trust of selection and purchase; but in proportion to the size of the collection, the more important does it become to systematically extend its ramifications into all branches of learning and science, and in this manner to purchase, so far as is practicable, the works necessary to the specialist as well as to the general student. To accomplish this end, the services of skilled bibliographers are no less requisite than is the assistance of the learned classes in the community. The lists furnished by specialists were of great importance in the formation of the Astor Library; and the Boston Public Library has attained most valuable collections in the sciences and arts through the intervention and assistance of the distinguished men in its community devoted to the advancement of knowledge. To build a great library, the sympathy and work of large numbers of learned men are indispensable. No librarian

or committee on books can be conversant with all the works essential to the proportional development of a library, intended to contain not only a very considerable number of the books of permanent value printed in the past, but also the new issues of importance, from the presses of Europe and of the United States, in all the varied branches of human learning.

VI. It is obvious that to know what books a library contains, and the subjects upon which they treat, a good catalogue is the first necessity. By this is meant no dry alphabetical list of authors and of the titles of books, but one constructed mainly upon the principle that, with its aid, a person seeking information upon some special topic of interest shall find the books needed for the purpose, if contained in the library, without knowing beforehand the names of the authors, or the titles of the books which convey the knowledge for which search is made. The popular as well as the scientific catalogue, whether printed in a volume or enrolled upon the card system, in order to furnish a proper account of the contents of a library, should comprise, arranged in one alphabet, authors, titles, subjects, cross-references, and tables of contents of the larger and more important general or miscellaneous collections. With the smaller public libraries, this key to its stores can be embraced in one volume, — but with the larger libraries of this description, embracing 25,000 or more volumes, the more convenient form of printed catalogue has thus far been found to be the compilation of class lists, containing divisions of subjects, such as History, Biography, Travel, Fiction, Poetry and the Drama, Science, the Useful Arts, — and arranging in one list the works of each class in the library, with the appropriate references. This system affords the additional advantage of enabling the institution to renew from time to time, as needed, these lists, without undergoing the expense of printing periodically a new catalogue of the whole collection.

VII. While admitting to the full the objections which readily suggested themselves at the outset of the great movement for the establishment of popular free libraries, — that "books are not learning," and that "learning is not wisdom," and that, as stated by the "Edinburgh Review" (November, 1820), "collections of books are not the complement but the supplement of wisdom," — it is now just to state that the expectations of the first projectors of these institutions have been more than justified. To whatever motive must be attributed the acquisition of a taste for reading, there now seems to be sufficient and substantial proof that this taste, when once formed, gradually and surely leads "up" and not "down;" that beginning with the most commonplace books on the most trivial subjects, the reader goes on extending his course, finding his appetite growing with what it has been

fed upon, until the working man or woman is led to the nutriment which will secure a larger and better mental growth. Few mortals possess such a natural endowment of genius as shall enable them to pass the limits of previous human discovery in invention, without a precise knowledge of the results and details already recorded in the newest treatises. In a great library, embracing within its extreme folds not only the mildest efforts of the novelist with "strictly moral principles," but the highest achievements of human wisdom and scholarship, it would seem that any mortal seeking entertainment, or learning, or wisdom from books might obtain his object. Any one who has observed carefully the masses of people who pour into the great free libraries of the English cities and of Boston, will not have failed to perceive the ardent desire manifested by all classes of borrowers to obtain the books of which they are in pursuit, and, if these should have been previously loaned, the patient waiting for some other book which shall satisfy their desires. No power of moral suasion can ever induce people to read what they do not wish to read. If they require fiction they will have it; if not afforded by the free lending library they will go elsewhere to obtain it, and possibly to collections not made with any special reference to the public morals. In libraries supported by the public funds, and for which each individual has been taxed either directly or indirectly, all classes, not vicious, are entitled to find the books fitted to their condition. Practically, it is seen that classes which are vicious, but not thieves or incapable of any trust, read books of good or fair moral principle, take good care of them, and return them safely, — with what improvement or tendency to a better life, no one can know; but any intellectual exercise, or even employment of time, not tending to the continuance of vice, must in such cases be an absolute good, and tend to beneficial results. But this remark only applies to the lowest order of intellects or morals reached by the free library. In appearance and conduct in public, the members of these classes are not separated from, or recognized by, the respectable and blameless men, women, and children, who frequent the reading and distributing halls. However debarred and socially ostracized, there is one place, not a church, where they can go, and behaving with the same decorum, sit upon the same seats, and be recognized as apparently members in good standing of the great society of letters, — as much so as the large majority of the regular frequenters whose appearance and character may be felt to be not entirely or forever beyond the reach of their own ability to attain. This presents one extreme of the picture. The other may be found in the workers, not only for their day and generation, but for the untold and unknown future, who are not only seeking to reach to the utmost limit of everything knowable in their selected vo-

cation, but are also striving to use the wisdom, knowledge, and progress of the ages as stepping-stones or pathways to further increase and development of principles and knowledge, and to add to culture and civilization by extending the breadth and depth of what is known for the advantage and advancement of future scholars and pioneers. The perfect library is the school after the school, — the college after the college, the great free literary institute of universal application and observance. No intellect too feeble to receive sustenance therefrom, and none so vigorous as not to require its help. For the intermediate class, composed of the great multitude of readers, the library affords entertainment, novelty, or instruction. Each finds the want supplied, and every motive to intelligent or intellectual progress receives sustenance and impulsion. It extends its helping hand to lead the whole community along the pathway of culture and civilization.

VIII. Economists differ as to the conditions which indicate a public necessity; but if the term is applicable to any form of charity or benevolence not devoted to the relief of physical suffering, or to the institutions which protect human property and life, it would seem as if the experience of this generation had crystallized this new organization into a form which society must hereafter recognize as an essential ingredient of any intelligently governed community. In cities enjoying a large use of the free lending library, it would be difficult to draw the line across the points where exceeding convenience terminates and absolute necessity begins. The limit of perfect freedom in use is the safety and proper treatment of the books placed broadcast in the hands of borrowers. This limit is within the reach of every community; it can impose its own laws for security to its property, according to the nature and character of its population. It can either trust to the sense of honor of every borrower, or it may require the guaranty of responsible citizens, or it may call for a pecuniary deposit to insure the prompt and safe return of its books to their shelves. One is now slow to believe that a free lending library is impossible in any large gathering of population in one vicinity.

To this test of practical results, derived directly from the books themselves, there should be added the influences which emanate from the institution as a centre of light and progress. To the care and supervision of the books must be appointed men of wide culture; no knowledge is too minute or too general not to find appropriate use in bibliothecal administration. Among the most useful functions of an accomplished librarian is, the assistance to be personally given to the seeker after knowledge, in the ready direction to the latest text-books and authorities. and in answering the innumerable questions covering the multiform phases of human curiosity or of scientific research. This

legitimate condition will naturally attract with increasing frequency and usefulness to the library, as to the recognized cyclopædia of past and present popular and scientific knowledge, all those who require help from books or brains.

It may appear that this statement of progress is too simple and apparently inconsequential; yet the detail is necessary to indicate what has been approximately accomplished. What are unquestionable truisms, nevertheless, mark in their appropriate places the steps which have been taken forward, with the reasons which encouraged the venture. Simplicity and natural arrangement lead to their logical results. The new condition of the library evolved itself gradually with continually widening aim, from its first inception, until it has attained its present growth and power.

In this connection, in order not only to understand the relations of the library to the community, however small the collection of books may be, but to comprehend the subjects upon which the larger number of people depend for amusement or progress, it becomes essentially important that the statistics of the uses of the library should be printed. One needs to know the classes of books of which the library is constituted, the number of each class, and the uses in proportion to the borrowers. Mere statistics are neglected very largely by libraries in their printed reports, especially in this country. The necessity of employing a force sufficient for all the purposes of the institution is not comprehended, — provision in most cases simply being made for the cataloguing and the delivery of the books. But in order to recognize the social facts, one must know what the library contributes to the conditions under which it is administered.

I regret to say that the classification of subjects which was originally established in the English free lending libraries, was too diffuse in generals and not sufficiently minute in particulars; so that when comparisons are instituted between the results of that system and our own, we fail to arrive at the details necessary for exact comparison. The classes of books in the Manchester Free Library are included under six heads with twenty-five subdivisions; the five principal divisions being respectively Theology and Philosophy; History and Biography; Politics and Commerce; Sciences and Arts; Literature and Polygraphy. Under the head of history is embraced also the large subject of the narratives of voyages and travels. Under the head of literature and polygraphy, are enumerated the subjects really in principal demand: — general treatises on literature and literary miscellanies, linguistics, poetry and prose fiction, oratory, epistolography, bibliography, polygraphy. In the Liverpool library the classes number fifteen. Among them are, history and biography; geography, voyages and travels; poetry and the drama;

novels and romances; heraldry, encyclopædias, gazetteers, dictionaries and other works of reference; and classical literature; a clearer and more exact arrangement. In the Bolton library, the subdivision is still further diminished to eleven heads, which is certainly an improvement on the previous classifications, and approaches more nearly the practical form used in the United States. In this library, history, biography, voyages and travels, novels and romances, poetry and the drama, form separate classes, which more clearly indicate the tastes and educational pursuits of the community in these respects, than is the case in the two older libraries. In the popular branch of the Boston Public Library, the classification adopted by the accomplished bibliographer, Professor Jewett, and which has been found sufficiently indicative of the uses of the library, comprises nine heads, which include in distinct divisions prose fiction, biography, travels and voyages, American history and politics, foreign history and politics, French, German, and Italian books The divisions of subjects embraced in the great reference as well as lending library in the Bates Hall, are arranged upon a system peculiar to this institution, and are more numerous, as enumerating distinctly the different ramifications of science, art, and literary knowledge.

It is obvious that in comparing the results of the use of the three great lending libraries of the world, Manchester, Liverpool, and Boston, or in examining the classification and numbers of books in circulation in Europe and America, one fails to arrive at the facts which are needed by every student of social progress in connection with the influences developed by the library, or as adapted to the character of the population to which its charity is ministered. Uniformity of detail should be entirely practicable in the statistics of libraries, and it is hoped that by joint agreement in Europe and this country, a classification may be adopted which shall yield all the facts needed, in a simple and practical form, and within the administrative capabilities of the smaller as well as the larger libraries. With the libraries that have had their classification established for years, it will be difficult, and perhaps impracticable to adopt a new system of arrangement; but in these cases, it is not impossible, while continuing their previous numerations, to subdivide in their statistics the most important and popular classes of books circulated; so that while the whole circulation of the particular heading shall be given, the numbers of each subject embraced in the aggregate shall also be stated. The free library is the barometer of the taste and culture of its readers, and the weight or lightness of their intellectual atmosphere makes its sure and incisive register in the statistics of its use. When in one great library, under one head, are included literature and literary miscellanies, poetry and prose fiction, oratory, epistolography, bibliography, and polygraphy, — while in

another they are found in almost as many separate divisions, how can any intelligent comparison be made of the uses of these libraries in their relations to their community, or of the educational purposes which they serve? In the continuous movement or development of this new necessity of modern civilization, it may naturally be expected that a common system may be agreed upon by representatives of the free lending libraries in this country and in Europe, which shall indicate to the student of social progress the extending results of each year's use or work.

In examining the position of a library, it must be remembered that however vast the collection of books in separate institutions, no institution may contain all the works which have been printed. The advantage of modern collections consists mainly in their practical value, — as embracing in proportion to their contents a larger number of books desired by the great number of readers. One cannot but smile when Professor Mommsen finds such a deficiency in a library of 600,000 volumes at Berlin that he is compelled to resort to the 800,000 volumes of Munich; but the printed statement does not tell us in what the deficiencies consist, nor to what end the expenditures for modern books have been devoted, nor what the system of growth of each library has been during the past twenty-five years. To any one familiar with the contents of the shelves of the large libraries of Europe, and cognizant of the masses of didactic and polemic theology, as well as of the forgotten and useless books of more than four centuries of printing, it is sufficiently obvious that the number of volumes does not indicate or even approximate to the real worth or value of a library. That collection of books is the most important and valuable which contributes the largest amount of knowledge and information needed to the progress of the century in science, art, and general civilization.

THE SOCIAL SCIENCE WORK OF THE YOUNG MEN'S CHRISTIAN ASSOCIATIONS.

REMARKS MADE BY CEPHAS BRAINERD, ESQ., OF NEW YORK, ON THE REPORT OF THE SECRETARY OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION, MAY 22, 1874.

THE phrase "Social Science" is familiar to all, but perhaps it fails to convey to most minds a definite idea. The opening address of your President (MR. CURTIS) contained a broad and interesting description of the objects contemplated, but no precise or formulated definition; nor have the able papers which have been read gone in this respect beyond that address. I have listened attentively throughout these extended but interesting and instructive conferences for a definition; offense will not be taken if I say it has not been given. But it is safe for any one who has witnessed, without taking an active part in your deliberations, to assume that the mission and purpose of this Association is one wholly of goodness. "I take Goodness in this sense," says Lord Bacon; "the affecting of the weal of men, which is that the Grecians call Philanthropia; and the word Humanity, as it is used, is a little too light to express it. Goodness I call the habit, and goodness of nature the inclination. This, of all virtues and dignities of mind, is the greatest, being of the character of the Deity; and without it man is a busy, mischievous, wretched thing, no better than a kind of vermin."

So, naturally enough, in proposing the adoption of the encouraging and comprehensive report which has just been read, a few remarks can be made in regard to a band of societies, to which a most kindly reference was made by the Secretary, — having a large constituency, and objects kindred to your own, but which they seek more especially to promote in individuals, by the efforts and influences of their individual members. The Social Science Association seeks by oral and printed discussion to contribute to human progress; it asks for a considerable audience to instruct. The Young Men's Christian Associations, while not turning away from the audience of many, aim largely to serve the same noble purpose by the operation of the individual mind upon other minds in the ordinary contacts of social life; and so they need well-taught members. Let it not be supposed that these Associations are, or claim to be, any other than orthodox societies, as this word is com-

monly understood, and remember that they seek the reformation of man in what their members believe to be the highest sense. They aim to have men changed from darkness to light, but they are none the less in sympathy with all just efforts to elevate men. Wherever the goodness described by Lord Bacon is exhibited, they are, to the extent of their powers, willing helpers. Surely, they are sufficiently catholic and cosmopolitan to render generous contributions in their way and place to a general purpose so grand and noble as your own. In the report, which has my concurrence, there are many points upon which I would like to address you, but my remarks will be confined to the Associations of which I have just spoken, for the purpose: (1) Of inviting your attention to the large body of young men they represent, as a field worthy of careful study and effort in the distribution of those influences and ideas by which you hope to lead our whole people in the way of a better and higher life; and, (2) To indicate some lines of teaching and service in which they are now useful, and in which especially you have their cordial sympathy and aid, or in which they may be your willing helpers.

I. These Societies furnish a large and apt class for your teachings. Here your discussions reach the active, the earnest, and the practical man. The young man who is testing plans and modes, who is seeking the best methods for elevating and improving those about him; who studies to "affect the weal of men," and while he makes the dissemination of the truth taught by Christ, as he believes it, his principal object, is yet anxious for the triumphant success of every effort in harmony with his great purpose to exalt and improve mankind. Beside a body of young men who are both workers and learners, there is yet another body composed of young men who are as yet but learners, and for the sake of whom, those who are teachers will welcome your lessons as a liberal addition to their material.

A few facts will show the magnitude of the opportunity now brought to your notice

The Associations are thickly scattered over the whole English-speaking part of the continent; they touch Charlottetown in the East, and San Francisco in the West; they number now, nine hundred and fifty-five; the membership is not less than one hundred thousand; the current expenses of two hundred and fifty-four is four hundred and twenty-two thousand, six hundred and thirty dollars; forty-seven own buildings valued at one million nine hundred and sixty-three thousand dollars; fifty-six others have building funds amounting to four hundred and twenty nine thousand, six hundred and sixty-two dollars, an aggregate of two million four hundred and eighty-seven thousand, six hundred and sixty-two dollars ($2,487,662), being an increase within the

year of three hundred thousand, two hundred and sixty-eight dollars. Already seventy-eight persons employ their whole time as general secretaries in the work of individual Associations. Note now these obvious elements as serving further to indicate the importance of the field; the men are nearly all young, they are active, energetic, and earnest to acquire the "good which is communicative;" their number is increasing, their wealth is being steadily accumulated, a flexible but enduring corporate form is taken on. Nearly all, in addition to strictly religious services, have reading rooms, libraries, courses of instruction, and secular lectures. I have heard no paper read here which would not be a welcome help in their work of instruction; each, when printed, can find a fit place in their reading rooms, and appreciative readers. Here, then, is shown an attractive field for the operation of the enlarged philosophic views, and philanthropic teachings of this enlightened organization.

II. Some particulars may readily be suggested in which there now exists an especial harmony.

Confessedly there is the utmost need of a direct personal effort by philanthropic and large-hearted people for the education of convicts while in prison, and their care when discharged, to the end that they may be finally saved to society, with which they have been at war. Here these young men are earnestly at work. In some of the States, committees of the Associations impart all, or nearly all, the useful instruction which convicts receive. They are ready and cheerful visitors of those in prison, and they fail not in effort to secure employment for the unhappy convict, when the law, declared to be satisfied, releases its stern grasp upon his person. Happily the lives of many convicts testify to the faithfulness of these efforts, as well as to the probability, nay, the certainty, of permanent reform. Need it be said that the plans and counsels of those experienced in such efforts, as garnered in your reports and papers, would be most gladly received?

Work for individual prisoners by thoughtful men, young and old, and the frequent contact which such work renders necessary, with prison officials of all sorts, has not failed to suggest the imperative need of reform in the whole system of prison management. None see more clearly than our young men, that penal institutions, while rendered places of just and adequate punishment, must also be made schools for the reformation of men. The convicts are almost wholly young men, the great proportion under thirty years; they are not sentenced for life, but must shortly return to society. Are they to come out, in effect, its enemies? Young men banded together to help their fellows on in the way of right living, cannot be blind to the claims of this great cause

of the convict. They are not; they will help you to put in practical operation the plans here matured.

Proposed reform in some of the rules of international law, has evoked able discussion here. Can young men, loving mercy as well as justice, be indifferent to the changes you advocate? Is it not easy for them to understand, not only the impolicy, but the absolute injustice of subjecting private property — not contraband of war, or designed for blockaded ports — to capture and condemnation? Will they be blind to the considerations which condemn that system of semi-piracy which is legalized by letters of marque and reprisal? Will they not gladly contribute to the increase of that sentiment, growing in all civilized lands, which demands the adoption of the principle of arbitration in the settlement of international controversies?

Taking their part in the politics of the day, they are not ignorant of corruptions which threaten to undermine government, nor of the peculation and robbery which defile some of our public offices and bureaus, and even creep into legislatures. The eyes of these young men are open to the evils of this character; which have received attention during your sittings, and they are with you to insist that conscience shall have a hearing, good morals a voice, and sound culture a place in public affairs. They are ready to insist, and will insist, that public servants and those who seek to be such, shall recognize sound culture as necessary, and conscience and good morals as potential forces, which cannot be safely disregarded.

Points of accord multiply as the objects of the societies are considered together, but time does not permit me even to indicate them.

The field is very wide, the need great; let those who love their kind, and seek to elevate them, disregard minor differences, and work heartily together to "affect the weal of men."

NOTE. — A paper by Dr. HEWITT of Minnesota, concerning the Board of Health for that State, being received too late for insertion in its proper place (page 250), will be found in the second part of this Number, the *Social Science Record*.

THE SOCIAL SCIENCE RECORD.

In the Sixth number of our Journal, and in the first part of this number, we have printed the papers and discussions at New York, last May, with such other matter as seemed appropriate in that connection. We have not printed all the papers read at the General Meeting because we could not obtain them in season for this number, — neither President GILMAN'S "California," nor Dr. SMITH'S paper on "Boards of Health," having been written out in such form as their authors thought desirable for publication. In place of these we have inserted addresses made at a previous meeting, or information bearing upon the topics presented, and deemed worthy of preservation in the same connection.

In the remainder of this number, and in future numbers, we shall present under the title above given of "Social Science Record," a collection of reports, records of events, short papers and general intelligence of various kinds, such as may be useful to the members of the Association and all readers of the Journal. Toward the end of the "Record" will be found announcements of meetings of the Association and of other associations, in this country or abroad, which are kindred with our own, — particularly of the Annual Meeting of the American Association in Boston, on the 14th of October, 1874, and of the Annual Social Science Congress of Great Britain to be held at Glasgow, — from the 30th of September to the 7th of October.

PROCEEDINGS OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION, 1872–3.

The Fifth number of the Journal having been printed before the Annual Meeting, in 1873, could not contain an account thereof, and it was deemed best to devote the Sixth number to the New York proceedings and papers. In order to preserve a record of what was done in the year 1872–3, we here print the brief report made, both of the Annual Meeting itself and of the general work of the year, which was not one of great activity on the part of the Association. What was done, however, has led to important results.

THE ANNUAL MEETING OF 1873.

The Eighth Annual Meeting of the American Social Science Association was held at eleven o'clock, A. M., in the hall of the Lowell Institute, Boston, October 8, 1873, Hon. Josiah Quincy, one of the Vice-Presidents, in the chair. The Treasurer presented his annual account, showing receipts to the amount of $1,718.64, disbursements to the amount of $1,781.99, and liabilities then estimated at $353.35.

Reports were read from the Departments of Education, Health, and Jurisprudence, and also a longer report by Mr. J. M. Barnard, of his doings as Acting Secretary during the years 1872–3, all of which were accepted and ordered to be placed on file. Subsequently, they were ordered by the Executive Committee to be printed.

The following officers were elected for the ensuing year, 1873–4:

President.

GEORGE W. CURTIS, New York.

Vice-Presidents.

JOSIAH QUINCY, Boston.
SAMUEL ELIOT, Boston.
C. R. AGNEW, New York.
H. C. LEA, Philadelphia.
T. D. WOOLSEY, New Haven.
J. W. HOYT, Madison, Wis.
GEORGE DAVIDSON, San Francisco, Cal.
D. C. GILMAN, Oakland, Cal.
WILLIAM T. HARRIS, St. Louis, Mo.

Secretary.

F. B. SANBORN, Concord, Mass.

Treasurer.

J. S. BLATCHFORD, Boston, Mass.

Directors.

LOUIS AGASSIZ,[1] EMORY WASHBURN, CHARLES W. ELIOT, Prof. BENJAMIN PIERCE, } Cambridge.
S. G. HOWE, T. C. AMORY, C. C. PERKINS, J. M. BARNARD, ROGER WOLCOTT, } Boston.
EDWARD C. GUILD, Waltham.
Mrs. JOHN E. LODGE, Mrs. S. PARKMAN, Mrs. CAROLINE H. DALL, Mrs. HENRY WHITMAN, Miss A. W. MAY, Miss ALICE S. HOOPER, Miss LUCRETIA CROCKER, } Boston.

[1] Died December 14, 1873. Other changes and additions in consequence of resignations, vacancies, etc., have been made by the Executive Committee since the annual meeting, so that the list now stands as printed in Journal No. VI.

The report of Mr. BARNARD, one of the Directors and Acting Secretary for the year 1872–3, as read at the Annual Meeting, was as follows:

ACTING SECRETARY'S REPORT.

To the Members of the American Social Science Association.

LADIES AND GENTLEMEN: At the adjourned annual meeting of this Association, held November 9, 1872, it was unanimously decided that its active work should be continued. It was therefore deemed best that the central office (5 Pemberton Square) should be kept open, and the lease was renewed by the Treasurer. As all the other officers were too busy to give much attention to office work, I volunteered to do so, hoping that a Secretary would soon be elected. At a meeting of the Executive Committee held February 22, 1874, Messrs. Sanborn, Blatchford, and myself, were elected a committee in charge of the office; but inasmuch as my two associates were unable to give much time to it, I have practically been in charge of the office during the year. The office has been open from ten to two o'clock in the morning every week day, and very often during the afternoon. Aided by a clerk, I have been able to continue the work usually done therein, though by no means satisfying my ideal of what it should be. I will briefly report what has been done.

must be 1873

In the first place, an attempt was made to renew and extend our correspondence with the members and other parties interested in Social Science, in the United States and in Europe. This has been continued through the year, and with good results. It has proved to us that there is a more general interest in the subject in this country than we had supposed. It has been gratifying to learn from it that the past work of the Association has been so generally approved; that we have succeeded in establishing a good character. It makes us acquainted with important social movements in various parts of this country and abroad, and it has often enabled us to contribute information to the parties engaged in those movements. I will give some examples. Our members in Albany informed us of the discussion in their legislature of the Usury Laws, and we were able to supply them with some of the papers brought out by the discussion of the same subject in this State several years since. One of our correspondents in New York is actively engaged in the attempt to improve the Police Courts, the Judiciary generally, and the municipal government of that city. By the kindness of the Mayor of our city, of Mr. George S. Hale, Judge Wells, Mr. J. B. Thayer, and others, we have been able to give specific answers to the questions on these subjects transmitted to our office. In return he has furnished us with a good deal of information which we have forwarded to various parts of the United States, where these questions are exciting so much attention.

From George W. Hastings, Esq., President of the Council of the British Social Science Association, and who came from New York to Boston last November for the express purpose of showing his interest in the Association, we have received a good deal of information relative to sanitary and educational matters in England; and we have done something in return. To show that this interchange of information does sometimes bear fruit, I will read an extract from his letter dated Malvern, England, May 8, 1873.

"As chairman of the School Board of Worcester, the capital of our county, I have persuaded the Board to adopt the plan I saw so successfully at work in your city, of an agent to look after the children, see that they are at school, and report the absentees. This morning we have made the appointment of an excellent man, long known among the poorer classes, to the office of School Board Agent, and have instructed him to prepare at once a census of the children of the city in an educational point of view."

Another correspondent in London, Leonard Rowe Valpy, Esq., has sent us a good deal of information as to what they are doing in England for Education in Art, and also in the Principles of Jurisprudence; in both of which he has a great interest. In his last letter he inclosed a carefully prepared sketch of the progress made in the last mentioned subject in England since John Austin commenced his lectures in 1826.

I have, I believe, given a sufficient number of examples to explain what has been attempted in the office in the way of correspondence. I will merely add that the Association at present has the addresses, which it can use, of experts in New Haven, Albany, New York, Philadelphia, Baltimore, Washington, Cincinnati, Chicago, St. Louis, Iowa City (Iowa), Madison (Wisconsin), San Francisco, and other smaller places in the United States; in Rome, Florence, Venice, Geneva, Berlin, Dresden, Paris, and London. I cannot help thinking that we have herein a broad basis for future extensive coöperation and common good.

During the year a General Meeting was held in this city, the preparation and management of which devolved upon the central office. We endeavored to secure papers from competent authorities upon those subjects in which the public seemed just then to be interested, such as the "Management of Cities," the "Higher Education of Women," the "Currency," etc. The lateness of the date of the decision to hold the meeting, prevented us from giving two papers of great importance, one upon the "Scientific Problems which Underlie Sanitary Reform," the other upon the "Necessity of Increased Means for Instruction in the Science of Jurisprudence." The papers read at this meeting have been printed, forming, with some other matter, Journal No. V.

The limited resources of the treasury prevented us from printing anything else; but "Remarks on Education," read by Professor Agassiz before our Department of Education, have been printed in the "Massachusetts Teacher," and remarks by Dr. T. Sterry Hunt, made at a meeting of the Department of Public Health, have appeared in "Old and New." The Association in Philadelphia, which is pleased to consider itself as a branch of ours, and which is a very active one, has supplied us with its publications for distribution. There is a constant sale of our previous publications. In the absence of our own matter, I have endeavored to keep informed of the appearance of excellent publications upon questions coming under the head of "Social Science," to secure a supply of them, and to forward them to parties who I had reason to believe would be interested in and use them. In this way we have distributed copies of the translation of Professor Virchow's Report on the "Injurious Influences of the Schools upon the Health of the Scholars;" D. B. Eaton's paper on "Sanitary Legislation in England;" the "Fourth Annual Report of the Board of Health of Massachusetts;" the "Reports of the Dispensaries

for Skin Diseases, and for Nervous Diseases, in Boston;" the "Phi Beta Kappa Address" of Hon. C. F. Adams; the "Fourth of July Address" by Mr. Ware; the "Examination Papers for Women at Harvard University;" the Massachusetts State Reports on Charities, Labor, Prisons, and Schools; Mr. D. B. Eaton's paper on the "Police Courts of New York," and Miss Carpenter's little book on the "Crofton Prison System." We have reason to believe that the seed thus sown has fallen on good ground, and that we have done something thereby to add to the information of the people, and to stimulate both thought and action upon these all-important subjects.

At my suggestion, the Department of Health requested Professor Wolcott Gibbs to represent us at the Vienna Exposition, whither he was going, and to report to us upon anything which he might see there worthy of public notice. The British Social Science Association holds a general meeting this year at Norwich, England, from the 1st to the 8th of the present month. In connection with the meeting there will be an exhibition of Sanitary, Educational, and Domestic Appliances. A desire was expressed by the General Secretary that our Association should be represented there. Fortunately, one of our Directors, Hamilton A. Hill, Esq., a gentleman of large and exact knowledge as to the resources of this country, is now residing in London. I therefore requested him to represent us at Norwich, and he consented to do so. In a letter received yesterday, he writes: "I have arranged with the Secretary to be present at the meeting, and I have promised to prepare a paper to be read before the Department of Trade and Economy. I have also received an invitation for Mrs. Hill and myself to spend the week in a hospitable private family in Norwich." Mr. Hill hopes to induce Mr. E. L. Pierce, another of our Directors, to accompany him to the Congress.

Such is, I believe, a correct report of what has been done in our office over and above the works of the several Departments, during the past year. The care of that office fell upon me simply because there was no one else to take it. I regret that the limited time which I could give to it, and my want of ability prevents me from making a better account of my stewardship. I am happy to know that we have reason to hope that I shall be succeeded by a regularly appointed Secretary, who will bring great intelligence and experience to the work.

(Signed) JAMES M. BARNARD.

BOSTON, *October* 8, 1873.

A vote of thanks to Mr. Barnard, for his voluntary and valuable labors as Acting Secretary was moved and passed. The reports of Dr. LINCOLN, and of JAMES B. THAYER, Esq., Secretaries of the Departments of Health and of Jurisprudence, were then read as follows, after which the meeting adjourned.[1]

[1] The Report of the Department of Education, being brief and general, is here omitted. No report was received from the Department of Finance.

DR. LINCOLN'S REPORT.

The Secretary of the Department of Health begs leave to report as follows: —

At the close of the last calendar year (1872), the Department Committee consisted of five members; but owing to the absence of some, and the want of leisure on the part of others, no meeting had been held for nearly two years. At that time, therefore, it was thought desirable to reorganize the Department, and to lay fresh work before it, following the general plan which was then on foot for enlarging the entire activity of the Association. This plan has been carried out as follows: —

1. The number of members has been enlarged to eighteen, besides three associate members resident in distant places, and two European correspondents.

2. Commencing on the 17th of January, 1873, six regular business meetings have been held. At these meetings, discussions have been held upon a considerable variety of topics of a sanitary nature, among which may be mentioned, "The Ventilation of Prisons in this Commonwealth," "Reform of the Quarantine Laws," and "Statistics of Vaccination."

3. The Department has also caused to be prepared and read at the general meeting last spring, papers upon "Animal Vaccination," by Dr. Frank P. Foster, of New York, and on the "Laws Regulating the Education of Apothecaries and the Sale of Drugs," by Professor Markoe.

4. In acceptance of the very kind offer of Reverend E. E. Hale, the Department has caused to be published in "Old and New" a report of Dr. Hunt's lecture upon "Air and Ventilation."

5. Finally, the Secretary would add, as a matter not included under any head of business, that the Department stands upon the most friendly terms with the Massachusetts State Board of Health; that the two bodies, in pursuing somewhat similar objects, are not in the least danger of trenching upon one another's provinces, and that both are convinced that there is an abundance of work for each to do. Respectfully submitted.

D. F. LINCOLN, *Secretary Department.*

BOSTON, *October* 8, 1873.

MR. THAYER'S REPORT.

To the Secretary of the Executive Committee of the Social Science Association.

The undersigned, Secretary of the Department of Jurisprudence, begs leave to report that there have been several meetings of this Department during the year. The experience of its members has led them to think that they would hardly be of service to the Association in any other way than by answering such questions or attending to such business as might be referred to them by the Executive Committee or other members. Three such questions have been referred to this Department and have been under consideration. Reports have been made to the parties referring them in two cases; the third question is still in the hands of a sub-committee.

In reference to this last named question, relating to the "Law of Settlement," it is proper to say that upon its reception it was immediately referred

by this Department to a sub-committee, but that owing to a miscarriage of the letter transmitting the question, it has but lately reached the sub-committee. An early report is hoped for.[1] J. B. THAYER.

BOSTON, *October* 4, 1873.

THE LATE PROFESSOR AGASSIZ.

The American Social Science Association has sustained a great loss in the death of Prof. AGASSIZ, who had been for a year before his death one of the most efficient members of its Executive Committee. At the next monthly meeting (Dec. 27, 1873) after his death, the Committee, upon the motion of Prof. WASHBURN, passed resolutions in his honor, and directed the President and Secretary to communicate them to the family of the deceased. This was done by the following letter, to which the resolutions are appended: —

OFFICE OF THE AMERICAN SOCIAL SCIENCE ASSOCIATION,
5 PEMBERTON SQUARE, *Boston, December* 30, 1873.

MRS. LOUIS AGASSIZ.

MADAM: — While cordially uniting with other literary and scientific Associations throughout the world, in testifying their appreciation of the eminent and estimable qualities, of heart and intellect, of their late associate PROFESSOR AGASSIZ, and their profound sorrow at the loss which Science and Humanity have sustained in his lamented death, this Association desire to offer their personal tribute of respect to his memory; recalling with melancholy satisfaction the interest he manifested while living, in its prosperity, and the willing aid which he ever lent to its advancement. They would, moreover, record as a cause of grateful recollection and hopeful encouragement, the assurance they have received that up to the hour of his being stricken down by disease, he retained this interest and freely expressed it, amidst the numerous and weighty cares and duties which were pressing upon him.

They beg you, therefore, to accept the accompanying resolutions, as the last heartfelt offering of friends, who have thereby desired to express to you and to the members of the family of Mr. Agassiz, the feelings of personal regard which they will ever retain for one whom they loved and honored.

With sentiments of unfeigned respect, the American Social Science Association by their undersigned officers, are

Very truly your friends and obedient servants.

GEORGE WILLIAM CURTIS, *President.*
F. B. SANBORN, *Secretary.*

THE RESOLUTIONS.

Resolved, That this Association, in common with the people of this country, and with the people of every land, has, in the death of Louis Agassiz, met an irreparable loss.

Resolved, That we desire to place on our records a declaration of our appreciation of the affluent learning, wise counsel, elevated thought, and unfailing earnestness, which he brought to the service of this Association.

[1] This Report was completed early in 1874, and is printed in the Journal No. VI. pp. 64–72.

OCEAN LANES.

In the last number of the Journal (pp. 17 20), we printed some communications from Mr. R. B. FORBES, chairman of the committee on "Ocean Lanes," appointed at the New York meeting, in regard to that subject. We now continue the discussion by presenting later communications from Mr. FORBES and from Commodore WYMAN, whose practical statements concerning the proposed lanes will be read with much interest. At the Annual Meeting of the Association in October, a preliminary report from this committee may be expected, along with some communications from Professor PIERCE, respecting the discussion of the same topic in Europe, where he has been presenting it for public consideration.

SECOND LETTER OF MR. FORBES.

MILTON, *August* 2, 1874.

GENTLEMEN: Since my communications of July, I have been in correspondence with Commodore R. H. Wyman, Superintendent of the Hydrographic Office at Washington, and have received from him a chart of the Atlantic on which are marked Maury's Lanes, the German monthly routes, and the routes recommended by the Hydrographic Bureau. Herewith I give you his letter and a copy of my reply. The letter (accompanying the chart, which I also beg leave to hand you herewith) gives many figures and good reasons for his courses. It appears to be of very small consequence for which route — Maury's or Wyman's — we decide; provided we agree as to discouraging the monthly German routes, which theoretically, and perhaps really shorten the distance or time, but are too complicated to be strictly adhered to by navigators.

I am very truly yours,

R. B. FORBES.

TO GEORGE W. BLUNT, CHARLES H. MARSHALL, FRANCIS R. COPE, etc., Committee on Ocean Lanes.

COMMODORE WYMAN'S LETTER.

HYDROGRAPHIC OFFICE,
WASHINGTON, *July* 29, 1874.

CAPTAIN R. B. FORBES, *Milton, Mass.*, —

Dear Sir: Your letter of the 17th inst. has remained thus long unanswered from the necessity of my giving its subject — Steamer Routes across the Atlantic Ocean — a more mature consideration than that which I have bestowed upon it heretofore. Since this subject was first discussed by Lieutenant Maury, in 1855, it has only been revived spasmodically, as accidents have occurred; every line of steamers having continued to follow such routes as the directors of the line deemed the best; or else each steamer has been navigated in

accordance with the views and experience of her master, with this one object in view, — to make the passage in the least number of days.

Steamer routes for the large and constantly increasing number of steam vessels crossing the Atlantic would tend, perhaps, to render collisions less frequent; the adopted routes to the Eastward and to the Westward being distinctly laid down and understood, and, it being obligatory, as far as possible, for steamers to follow such routes, sailing vessels would avoid them as much as possible, or, when compelled to cross them, would do so with the greatest caution, knowing that the locality was a dangerous one.

The route for a steamer is the shortest distance that can be made between two points, provided that, on such route, the prevailing winds and the currents are not sufficiently adverse to obstruct or be a hindrance to navigation.

Any routes decided upon as steamer routes must necessarily appropriate only a sufficient breadth of ocean to admit of the navigator keeping readily within the belts, under all ordinary circumstances.

If practicable, the routes should pass over such uprising of the bottom as to enable the navigator, when in the vicinity of land or shoals, to approximate his position with the lead.

Complying with your request, I give you the following, which in my judgment are as good steamer routes between Sandy Hook and Liverpool or the English Channel, and *vice versa*, as can be laid down, — each route extending over a belt thirty miles (30′) in width; the points given being those of the axis of each belt.

The Northern Route, or that from Europe to America, proposed by this office, has for its axis the arc of a great circle from Lat. 51° 05′ N. and Long. 10° W. to Lat. 46° 15′ N. and Long. 53° W. and may therefore be called a "great circle route from Europe to America." It gives Cape Race a berth of from ten to forty miles, as the navigator may prefer. On it the current encountered is trifling, until about the meridian of 50° W., when it sets to the southward and westward, and soundings can be obtained on the northern part of the Great Bank and on Green Bank.

The Southern Route is not a great circle route, being laid down with reference to other conditions, viz.: A proper divergence from the Northern track, without a material increase of distance, the avoidance of the Grand Bank, and a maximum benefit from the current of the Gulf Stream.

The computed courses and distances by these two routes (their axes) are as follows: —

Track to America					Track to Europe.				
No.	Latitude.	Longitude.	Course.	Distance	Latitude.	Longitude.	Course.	Distance.
	° ′	° ′	° ′		° ′	° ′	° ′	
1	51 05 N.	10 00 W.			40 29 N	74 00 W.		
2	51 23 N	15 00 W.	N. 84 29 W	[illegible]	39 50 N	70 00 W	S. 78 00 E.	188
3	51 27 N.	20 00 W.	N 88 51 W	187	39 57 N	67 35 W	N. 86 24 E.	111
4	51 19 N	25 00 W	S. 87 31 W.	187	41 25 N	60 00 W	N. 75 39 E.	355
5	50 58 N.	30 00 W.	S 83 43 W.	189	42 50 N	50 00 W.	N. 79 11 E.	[illegible]
6	50 28 N	35 00 W	S 79 25 W.	[illegible]	43 45 N	45 00 W	N. 75 52 E	225
7	49 35 N	40 00 W	S. 76 09 W	199	45 15 N.	40 00 W.	N. 67 18 E	232
8	48 31 N.	45 00 W.	S. 71 55 W	207	46 55 N	35 00 W	N. 64 30 E.	231
[illegible]	47 11 N.	50 00 W	S. 68 22 W.	217	48 15 N	30 00 W.	N. 68 26 E.	218
10	46 15 N	53 00 W.	S. 65 30 W.	136	49 12 N	25 00 W	N 73 56 E	206
[illegible]	43 00 N.	59 00 W.	S 52 02 W	325	50 07 N	20 00 W	N 74 11 E.	202
12	40 30 N.	68 00 W.	S. 69 35 W.	480	50 38 N	15 00 W.	N. 80 48 E	[illegible]
13	40 29 N.	74 00 W.	N 89 47 W.	[illegible]	51 05 N	10 00 W.	N 81 53 E	191

From Lat. 51° 05′ N and Long. 10° W. to Sandy Hook = 2.733 miles.

From Sandy Hook to Lat 51° 05′ N. and Long 10° W = 2,806 miles

From Lat 51° 05′ N. Long 10° W. to Cape Clear bearing N is, ... 18
" " " " Scilly Isles is, ... 156
" " " " Liverpool is, ... 312

Distances Compared.	H. O. Tracks.	Maury Lanes.	German Routes
	Miles.	Miles.	Miles.
From Sandy Hook to Cape Clear	2,824	2,829	. . . .
" Cape Clear to Sandy Hook	2,751	2,723	. . . . .
" Scilly Isles to Sandy Hook	2,889	2,882	2,999
" Sandy Hook to Scilly Isles . . .	2,962	2,980	3,014
" Sandy Hook to Liverpool	3,113	.....	. .
" Liverpool to Sandy Hook . . .	3,045	3,038	. . .

The shortest possible distance[1] between Sandy Hook and Liverpool by steamer is, according to,

	Hyd. Office Miles	Maury Miles.
	2,992	3,009
The average distance actually accomplished, do. .	—	3,069

EXPLANATION OF THE STEAMER ROUTES ON THE ACCOMPANYING CHART.

The "routes" in yellow are those proposed by Maury. The two "tracks" in red are the ones proposed by this Office. The twenty-four (24) routes in

[1] This, however, is not a practicable route.

blue and in red are those proposed by the German. Notice, they are laid down according to the different months as follows: —

No.	Month.	Europe to America.	Distance from Needles to Sandy Hook.	America to Europe.	Distance from Needles to Sandy Hook.
			Miles.		Miles.
1	December.	—/——/——/——/—	3,057	—/——/——/——/—	3,051
2	January .	—.——.——.——.—	3,065	—.——.——.——.—	3,087
3	February .	—..——..——..—	3,060	—..——..——..—	3,083
4	March . .	——...——...——	3,049	——...——...——	3,104
5	April . .	—x——x——x—	3,067	—x——x——x—	3,081
6	May . .	—o——o——o—	3,082	—..——..——..—	3,119
7	June . .	—xx——xx——xx—	3,076	—xx——xx——xx—	3,114
8	July . .	—oo——oo——oo—	3,055	—oo——oo——oo—	3,086
9	August .	—xox——xox——xox—	3,073	—xox——xox——xox—	3,098
10	September	—oxo——oxo——oxo—	3,056	—oxo——oxo——oxo—	3,087
11	October .	—xxx——xxx——xxx—	3,046	—xxx——xxx——xxx—	3,061
12	November	—ooo——ooo——ooo—	3,082	—ooo——ooo——ooo—	3,058

Respectfully, your obedient servant,

R. H. Wyman,

Commodore U. S. N. and Hydrographer.

THE REPLY OF MR. FORBES.

Milton, *August* 2, 1874.

Commodore R. H. Wyman, *Hydrographic Office, Washington.*

Dear Sir: I beg leave to acknowledge the receipt of your favor of the 29th ultimo, with a chart wherein are laid down the Maury Lanes, the track recommended by you, and the German monthly courses. I thank you in the name of the Social Science and Technological Associations, for these very valuable papers. The only question I entertain as to choice of routes lies between yours and Maury's; the German being too complicated. To go to the north of the Virgin rocks carries us rather nearer to Cape Race than I like, especially in the season of ice and fogs, and I should rather prefer to straighten your curve from Long. 40° to 60°, and come by a route south of the rocks. The shortest great circle route, or that which comes nearest to it, may not be the safest and it is in the interest of safety rather than of time that we should turn our attention. You say that the route for a steamer is the shortest that can be made between two points, provided that on such route the prevailing winds and currents are not sufficiently adverse to obstruct or to hinder navigation. I should add to this, "provided they do not come too near to prominent points, as Cape Race and Nantucket shoals and the Virgin Rocks, as to endanger navigation in thick weather." I should never go out of my way in order to find soundings to verify my position, as I believe the observations that may be had, the thermometer, and Sumner's method of finding the place of the ship, will generally, if not always, give better results than soundings;

which to be of value must be often repeated, and which therefore involve loss of time, and are not popular with steamers.

I should much like to be in perfect accord with you, and it is not worth while to split hairs in determining the different routes out and back. If we can accomplish this it will prove a great boon to navigation on the beaten track of the Atlantic. The trifling difference of a few hours in the run seems to me to be of little account in comparison with avoiding Cape Race and the Bank fishermen, who will be more endangered by the devious German routes.

I am, very faithfully yours,

R. B. FORBES.

PRISON REFORM IN EUROPE AND AMERICA.

Since the meeting of the Association in May, at which Dr. Wines was present, he has been in Europe attending to his duties as president of an important Committee appointed at the session of the Prison Congress in London in 1872. From him we have received the following translation of the proceedings of the Committee at its last meeting:

(TRANSLATION.)

Minutes of the Meeting of the Permanent International Commission for the Study of Penitentiary Reform, 25th, 26th, and 27th June, 1874, at the Palace of the Minister of Justice, Brussels.

PRESIDENT — DR. WINES.

There are present: Messieurs Wines (United States), President; Beltrani-Scalia (Italy), Secretary; Dr. Frey (Austria); Dr. Guillaume (Switzerland); Loyson (France); Pols (Holland); and Stevens (Belgium).

Absent: Messieurs Baron Von Holtzendorff (Germany), detained by indisposition; Count Sollohub (Russia), on his way; and G. W. Hastings (England), from whom no word has been received.

1. Before opening the Session, the Commission pays its respects to M. De Lantsheere, Minister of Justice in the Belgian Cabinet. After the members had been introduced by M. Stevens, Inspector General of Prisons for Belgium, Dr. Wines, as the official organ of the Commission, expresses to the representative of the Belgian Government the best thanks of the body for the ready zeal with which the Government has made preparation for our reception, and offered all the information which the members of the Commission could desire. The Minister in reply, expresses the pleasure which it affords him to welcome the members of the International Commission to Belgium, and wishes them a pleasant and fruitful meeting.

2. On reëntering the Hall, placed by the Government at the disposition of the Commission, the President opens the Session at 10 o'clock A. M., with an Address, from which we cite the following passages.

From the Speech of Dr. Wines.

Two years have passed since the Congress of London, a period long enough to develop actual fruit, if any is ever to be yielded by it. We shall hardly be justified in summoning the world to another similar reunion, unless we can show that valuable results have followed the first. Can such results be shown ? Yes, beyond a doubt ; and in greater number, and more important, than could reasonably have been anticipated at so early a date.

One of the first acts of the Danish government, after the return of its Commissioner, Mr. Bruün, was to issue a decree, that all the associated prisons of the kingdom should thenceforth be conducted on the principles approved by the Congress of London; meaning, as I suppose, that the principle of progressive classification, agreeably to the Crofton system, should be applied in their management.

In Sweden the influence of the Congress has been conspicuous, both in awakening a more general interest in the penitentiary question and in leading to important legislative reforms in this branch of the public service. Among other reforms, a school for the special education of prison officers, both superior and inferior, has been established in connection with the central penitentiary near Stockholm, and provision has been made for the immediate establishment of two agricultural colonies for the reformatory treatment of juvenile delinquents, after the model of Mettray, in France. In short, an activity beyond anything previously known in Sweden, in regard to penal and reformatory institutions, is declared by the chief director of prisons to have been the direct result of the Congress of London.

In Norway the influence of the Congress has, so far, been most felt in the increased number and activity of the agencies employed for saving discharged prisoners. The strong hope is entertained and expressed by the friends of prison reform in that country, that its effect will soon show itself in a complete reorganization of the penitentiary system of the State. The conviction is felt that such a reform can be much more easily effected now than it would have been at any previous time in the history of the country, and that whenever such reform does come, the work of the London Congress will form the basis of the new organization.

Much progress, in the domain of prison discipline and reform, is reported to have been made in Switzerland since the Congress of London. The influence of that great international reunion has made itself felt there in a manner not to be mistaken. Few of the cantons have remained wholly unaffected by this influence; but no other has felt it so strongly as that of Neuchatel. In this canton the legislature has adopted a decree, introducing the principle of provisional liberation into the penitentiary system. The great council of the canton has also decided that the fortune of 800,000 francs, bequeathed to the State by M. Francis Borel, shall be devoted to the establishment of an asylum for unfortunate, neglected, vicious, and criminal children, to be organized

as an agricultural and penal colony, similar to the reformatory and industrial schools of England. The reforms inaugurated in this and other countries, both in criminal law and prison discipline, are reported as largely due to the influence of the Congress of London.

The governments of Italy and Holland have been stimulated by the Congress to prepare new penal codes on their respective countries.

The French, Russian, and Italian governments, have created special commissions on prison discipline, and are instituting important reforms in their penitentiary systems.

The result of the Royal Penitentiary Commission of Italy has been the introduction into the Italian parliament of a new penal code, which is to be discussed at the next session, and will doubtless be adopted by the nation, with or without modifications. Prison discipline itself has also made a marked advance. Three agricultural penitentiary colonies have been established in the Tuscan archipelago for the treatment of prisoners convicted of offenses not of the graver sort. These colonies have already proved a decided success. The labor performed is almost entirely in the open field, and both the physical and moral results are reported as satisfactory. This system will be gradually extended, and great results are hoped from it. Another reform, and of a different kind, has been inaugurated by the Italian government. There has been established at Rome a training school for prison officers. Four hundred soldiers have been selected from among the best and most deserving men in the army — nearly all of them skilled mechanics or farmers. These men are receiving, in the establishment just named, a special education to fit them to take the position and efficiently discharge the duties of prison officers, more particularly in the agricultural penitentiary colonies, in which it is intended to give to the prisoners a scientific as well as a practical knowledge of farming.

France, through her National Penitentiary Commission, has been engaged in an earnest study of all the problems embraced in penitentiary science. For nearly three years, this great Commission, named by the National Assembly and composed of an equal number of deputies and distinguished specialists from outside, has been pursuing this investigation. It has begun and concluded, on this grave subject, the broadest international inquest ever undertaken, and is now occupied in the preparation of divers projects of law for the reform of all branches of the penitentiary régime. Special mention should be made of a bill recently introduced into the National Assembly, on the report of M. Bérenger (de la Drôme), a member of the Assembly, who took part in the Congress of London. This bill subjects persons, sentenced for a year or less, to individual imprisonment during the whole term of their punishment, agreeably to the system now practised in Belgium, after having first been borrowed from France.

The Imperial Penitentiary Commission of Russia, of which our honorable colleague, Count Soilohub, is President, has, in like manner, been actively engaged in a similar study, and for nearly or quite as long a time. The Count submitted at London the bases of the scheme of prison reform, as originally drawn up by the Commission. On his return from London, the Commission resumed its work, and the result has been a definite and detailed

scheme of prison reform. The examination of this *projet* has been confided by the Emperor to a committee, which has accepted its basis, though modified in some of the details, and has submitted to the council of the empire the proposition to establish, as a point of departure, a central administration, under the control of the Ministry of Justice.

The Dutch, Belgian, German, and Austrian authorities are extending reforms in their previously advanced penal institutions; and the eminent prison officials from those countries who attended the London Congress seem to have returned to their duties, animated afresh, to further efficient and successful endeavors in the path of improvement.

In Great Britain there are numerous indications that the Congress of 1872 has both deepened and extended an interest in the penitentiary question; not the least of which is a vigorous movement, at this moment being put forth by eminent leaders of public opinion in that country, to secure the creation of a Royal Commission, similar to those of France, Russia, and Italy, for the study of the whole subject of prison treatment, and to devise such reforms in this branch of service as may be deemed wise and necessary. This movement has already made such progress as to render certain its ultimate success.

The same general remark as to an increased and widening interest in prison discipline and reform is applicable to the United States as to Great Britain. Suffice it to say that, among the evidences of a progress due to the Congress of London, is the fact, that at its late meeting at St. Louis, the American Prison Association instructed its appropriate standing Committees to submit to the next annual Prison Congress schemes of law, accompanied by the necessary explanatory reports, for 1, A complete penitentiary system ; 2, a complete system of preventive and reformatory institutions for children and youths; 3, a complete penal code, adapted to the present needs of society. These several codes, or systems of law, when adopted by the Congress, are to be laid before legislatures of the several States of the American Union, and will be urged upon their attention and favorable action.

Even in distant Japan, represented in the Congress of London by several native delegates, the influence of that great gathering has been felt in the awakening of so strong an interest in its objects as to have resulted in the creation of a new penal code for the empire, greatly in advance of the one previously in force, especially in the substitution of imprisonment for capital punishment, in the case of a considerable number of crimes before punishable with death.

In view of the facts thus set forth, I look for a unanimous vote of this Commission in favor of calling another Penitentiary Congress, similar in character and design to that held in London in 1872.

3. Before proceeding to the orders of the day, the President announces to the Commission, that having had occasion when passing through England, to call upon Lord Carnarvon, President of the Congress of London, his lordship had requested him to bear to the members of the International Commission the assurance of his continued, and profound interest in the work undertaken by the London Congress,

and particularly in the labors of the Commission at its then approaching Session.

4. The President causes to be read a letter from Baron Von Holtzendorff, expressing regret at his inability to be present, and offering suggestions as to the basis of organization for another Congress.

5. The President further causes to be read a letter from M. Cardon, Director General of Prisons for the kingdom of Italy, who transmits in the name of the Government, to each member of the Commission, a copy of the statistics of the Italian prisons for 1872. The President is charged to convey to M. Cardon the thanks of the Commission for this generous gift.

6. M. Loyson introduces M. Emile Yvernès, Director of Statistics and of Criminal Registers (*casiers judiciaires*) of the Ministry of Justice for France. The President, in the name of the Commission, extends to M. Yvernès a cordial welcome, and invites his cooperation in our labors.

7. M. Beltrani-Scalia submits a report on international penitentiary statistics, together with the plan for recording them, which he had been charged with preparing. After having examined the statistical tables in use in different countries, M. Beltrani adopted the formularies which were subsequently sent to the several members of the Commission, with a request that they would, if possible, procure them to be filled up by their respective Governments. Favorable responses have been made to this appeal by Belgium, Denmark, Holland, Hungary, Italy, Saxony, and Sweden, all of which States have filled the blanks and forwarded the tables, as requested. Other countries have promised cooperation so soon as they shall be able to give it, particularly Switzerland, where the political organization is such as to make extremely difficult the collecting of statistics upon a uniform basis. The same is true of the United States; but that country will, it is hoped, soon figure on the tables of international penitentiary statistics.

While this question is under discussion, M. Yvernes, after having presented the members of the Commission with copies of a "Memoir on Relapses and the Penitentiary Regime" – a memoir which he had prepared for the International Statistical Congress — expresses the opinion that it would be desirable to have the two Congresses adopt the same bases for judicial and penitentiary statistics. He comes to this meeting, at the request of the Minister of Justice for France, with a view to give such aid as he may be able in its statistical labors, and above all to impress upon the Commission the importance of securing full returns on the question of relapses. M. Yvernes gives interesting details on the annual registers, and especially on the system of the *Casiers Judiciaires*, whose advantages he sets in a clear light.

Dr. Frey exhibits the importance of sanitary statistics, and of embodying full details on this point in our tables.

The Commission, after full discussion of the statistical question, adopts the following resolutions: —

(*a*) It returns thanks to M. Beltrani-Scalia for the important and disinterested labor he has performed, accepts the statistical tables he has prepared, and begs him to publish the same, as he proposed to do.

(*b*) It charges its President to thank the Governments which have responded to the appeal addressed to them, and, in the name of the Commission, to make a fresh appeal to such Governments as have not yet furnished the information sought.

(*c*) It names M. Stevens as successor to M. Beltrani in the office of Secretary. M. Stevens accepts the position on the same conditions as his predecessor. He will take account of the observations which may be addressed to him by his colleagues, with a view to simplify and complete the statistical formularies, and thus to facilitate the preparation of the responses and secure the gradual definitive adoption of these formularies in all countries.

(*d*) After having heard with interest the exposé of M. Yvernès and returned to him its thanks therefor, the Commission asks M. Stevens to have an understanding with him on the question of relapses, and begs M. Yvernès to continue to take part in our labors and thus serve as a bond of union between the Statistical Congress and the Penitentiary Congress, since it is important that we should be of one mind on the question of prison statistics.

8. The question whether another International Congress for the study of Penitentiary Reform shall be convoked, is, after discussion, determined affirmatively by a unanimous vote of the members.

9. The time for holding the said Congress is fixed for the year 1876.

10. As regards the organization of the Congress and the programme of questions to be discussed, the Commission decides to confide the preparation of a draft of definitive rules to a sub-commission, to consist of MM. Von Holtzendorff, Pols, and Stevens.

11. Dr. Frey submits an elaborate and detailed programme of rules and regulations for the International Penitentiary Congress, and for the Permanent Commission of said Congress, for which thanks are given to the author.

12. With a view to making known to this sub-commission the opinions of the members of the Commission, an informal discussion takes place on the several principles formulated in the project of Dr. Frey.

13. Dr. Frey's paper, and also the letter of Baron Von Holtzendorff, are referred to the sub-commission.

14. Considering the utility and convenience which would accrue from having in the Commission a delegate from each country represented in the Congress of London, the President is instructed to address all the Governments not now represented in it, and to request that each name a delegate to be present at all future meetings of the Commission.

15. To the end that all desirable success may be assured to the next Congress, the Commission thinks that the number of questions to be submitted for discussion ought to be limited to those which are most practical and of general interest; and that each question embraced in the programme adopted, should be made the subject of one or two short reports by competent persons, who shall have been designated by the Commission, and that both the questions and reports should be published and distributed several months in advance of the opening of the Congress.

16. The Commission is of opinion that the three sections proposed by Dr. Frey (of legislation, execution of sentence, and preventive measures) may be retained.

17. As it is important that the decisions of the Congress should have a real value and exert their legitimate influence on public opinion, it seems to the Commission necessary that the Congress should be composed, above all, of official delegates, named by the Governments of the various countries interested in the study of penitentiary reform, and that the vote upon the propositions formulated should be taken by yeas and nays, so that all may know the names of those who constitute, respectively, the majority and the minority.

18. The question relating to the official language usually employed in International Congresses, is left undecided until it is determined in what place the next Congress shall be held. The Commission is of opinion that whatever the language adopted, exceptions must necessarily be made in particular cases. A letter of M. Bournat (France), addressed to the President, in which he discusses this question, is referred to the sub-commission.

19. The Commission expresses the wish that Dr. Wines would undertake the preparation of an essay, in which he will offer a comprehensive review of the progress made in Penitentiary Reform, since the Congress of London, in the various countries of the world. This report should include the year 1875.

20. As to the place of meeting of the next Congress, the Commission thinks it inexpedient to come to a definitive resolution on this point before it is informed whether such meeting shall have not only the sympathy of, but be positively desired by, the Government of the country in which it is proposed to be held. The Commission refers this question to the examination of the sub-commission, which will formulate, in due time, the proper notification in this regard.

21. The sub-commission, after having terminated its preparatory labors, will send, at least one month before the next meeting, to the members of the Commission, notice of the results reached on the several questions referred to its examination.

22. The Commission decides to hold another meeting next year, some time during the month of August, at Bruchsal (Baden). The President is charged with the convocation of the Commission.

23. M. Beltrani-Scalia thinks that it will be useful to establish an organ of publicity for the different countries which took part in the Congress of London, and for other countries which desire to keep themselves well informed in regard to the progress realized in the penitentiary domain. He therefore proposes the publication of a monthly journal, under the following title: "International Bulletin for the Study of Penitentiary Reform, published with the Coöperation of the Members of the International Commission, by ." This Bulletin will contain the official documents, laws, regulations, instructions, etc., adopted by the different countries, and sent to the Editor. The Bulletin will be printed in the French language. The Commission adopts unanimously the proposition of M. Beltrani, and charges him with the duty of editing it. It gives him its warmest thanks, in consideration that he not only accepts the editorship, but also all the financial consequences of the enterprise. M. Beltrani requires that communications for the Bulletin be addressed to him in French, it being understood that he cannot charge himself with the translation of the documents that may be sent to him.

The Commission hopes that this international organ of publicity will hold in friendly relations all those persons who took part in the Congress of London, and all others who are interested in the solution of penitentiary questions.

24. Thanks are voted by the Commission to Dr. Wines, its devoted and admirable President.

25. The minutes are read, adopted, and signed by all the members, and the Session closed June 26th, at 5 o'clock P. M.

(Signed)

WINES, *President.*
BELTRANI-SCALIA, *Secretary.*
LOYSON.
FREY.
POLS.
GUILLAUME.
STEVENS.
YVERNES.

June 26th, 1874.

ADDENDUM TO THE MINUTES.

26. Count Sollohub (Russia), having arrived at the moment of final adjournment, the Commission determined to reopen its Sessions. Accordingly, a meeting is held in the evening of June the 26th, at the residence of M. Stevens, at which the Count reads a "Memoir on Prison Reform," which had been addressed by him to Count De Forresta, of Italy.

27. On Saturday, during a visit to the Penitentiary of Louvain, the Commission, having opened a session in the office of the Director of the Penitentiary, requests Count Sollohub to cause his Memoir to be printed for the use of the sub-commission.

28. Count Sollohub declares that having read the minutes of the meeting, he gives his adhesion to all the conditions contained therein. Nevertheless, he is of the opinion that the word Congress should be replaced by the word Conference, into which should be admitted only official delegates of their respective Governments, and that the whole penitentiary question should be tested in its connection with criminal legislation.

29. Dr. Wines submits a letter received from M. Petersen (Norway), in which he expresses his opinion on the subject of another International Congress, which he looks upon as a necessity. This letter, which contains also suggestions relating to the organization, the place, and the time of the Congress, is referred to the sub-commission, as is likewise a letter of M. Bruun (Denmark), treating of the same subject, and announcing that Count Sollohub will represent Denmark and Sweden in the Commission.

30. The Commission then at two o'clock, P. M., June 27th, adjourned *sine die*.

DEPARTMENT OF SOCIAL ECONOMY.

A PRELIMINARY REPORT BY A SUB-COMMITTEE OF THE DEPARTMENT.

Submitted at a Department Meeting, September, 4, 1874.

INTRODUCTORY.

SOON after the organization of the Department in December, 1873, the undersigned were appointed (in January, 1874) a special committee on the Charlestown convict prison, which is the ancient and principal State Prison of Massachusetts, and which, at that time, was attracting public notice in consequence of incidents in its management, and the general tone in respect to Prison Reform assumed by its chief officer, (Warden Chamberlain) in his Annual Report for 1873. The two members of the Committee had long been familiar with its condition, Mr. Ayres having been at one time a resident of Charlestown, and a Sunday-school teacher in the State Prison, and Mr. Sanborn having been an official inspector of all the Massachusetts prisons since October, 1863, and at one time a frequent visitor at Charlestown. Upon prosecuting their inquiries, and after making one or two brief reports to the Department, this Committee saw occasion to enlarge the scope of their inquiries somewhat, and obtained permission to report generally upon the whole prison question, as it presents itself in the United States to-day. In doing this, they will keep especially in view the two contrasted, and in some respect conflicting systems of discipline, which are perhaps best exemplified, in America, at the Charlestown State Prison of Massachusetts, and the Philadelphia Eastern Penitentiary of Pennsylvania. These prisons, in their present construction, are of nearly the same age, and do not differ greatly in the number of prisoners which they usually have contained. Both now have between six and seven hundred convicts, — the number at Charlestown on the first of September, 1874, being 672, and the number at Philadelphia, 630. The latter was last visited by Mr. Ayres on the 29th of March last; the former by both members of the sub-committee, on the 19th of August. The fact that both of these prisons are now crowded, and that Massachusetts has voted $1,000,000 to build a new State Prison at Concord, will give occasion for some remarks on the size of prisons and prison architecture.

I. THE PRISON SYSTEMS NOW IN USE.

By general agreement among those who have studied the prison question, the principle of "Secondary" punishment — that is, of ter-

unmable imprisonment as opposed to the punishment of death or its equivalents, — are these three, which have been well stated by an eminent English magistrate, the late Recorder Hill, of Birmingham. —

First, the *deterrent* principle, or the application of pain, with the intention of proving to the sufferer and to all who may learn his fate, that the profits of crime are over-balanced by its losses. *Second*, the principle of *incapacitation*, as Bentham styled it, that is, the detention of the culprit in confinement in order to protect society from his misconduct by rendering him incapable, for the time, of injuring society by active crime. *Third*, the *reformatory* principle, by which the culprit is brought to see the moral nature of his offense, to repent thereof, and resolve to offend no more, even when at liberty and in no danger of punishment. Thus *incapacitation* deprives the malefactor of his *power* to do that particular wrong; *deterrent penalties* subdue by fear his *desire* to do wrong; while by *reformation*, that *desire* is itself extinguished, and replaced by aspirations and habits which secure society against his relapses, and the culprit himself against the probability of a relapse into crime. It is therefore evident that reformation is the most important of the three objects of imprisonment, though it may not be, and generally is not, the most attainable. It is, however, kept in view, upon theory, in all the modern codes of penal legislature, and is especially prominent among the statutes of the United States.

It must be said, however (and this the advocates of arbitrary and unreasonable methods of prison penalty often misstate), that the modern advocates of Prison Reform do not lay stress upon reformation alone, nor do they seek this by gentle measures and mild discipline alone. A model prison, according to the ideas of Maconochie, of Crofton, and of Brockway, is not a place of easy and pleasant seclusion, where villains are taught that they can be

> "Carried to the skies
> On flowery beds of ease."

On the contrary, such a prison is what Maconochie called it — "a school of severe adversity" — in which there is a place for punishment as well as for reward, for justice no less than for mercy. To illustrate what we mean, we can do no better than to quote from a treatise by Captain Maconochie, written in 1839, a year before he took charge of his famous penal colony at Norfolk Island in the South Seas. The work in question is one of the first which he published, and was printed in Australia.[1]

[1] Alexander Maconochie, a Scotchman, and for many years an officer in the British navy, was born in 1787, and died about fourteen years ago. At the time he took charge of Norfolk Island he was fifty-three years old, and he had spent the greater part of his life in a rough way among sailors and soldiers. For two or three years he was a prisoner of war

"With reform as the object of criminal administration, the better feeling of even the most abandoned criminals would from the beginning sympathize; whereas, when merely suffering and degradation are threatened and imposed, it is precisely these better feelings that both first and last are most revolted and injured by them. The sole direct object of secondary punishment should therefore, it is conceived, be the *reform*, if possible, but, at all events, *the adequate subjugation and training to self-command* of the individuals subjected to them; so that, before they can regain their full privileges in society, after once forfeiting them, they must give satisfactory proof that they again deserve and are not likely to abuse them.

"This principle does not proscribe *punishment, as such*, which, on the contrary, will, it is believed, *be always found indispensable, in order to induce penitence and submission;* nor, as may be already inferred, does it lose sight of the object of setting a deterring example. But it raises the character of both these elements in treatment, placing the first in the light of a *benevolent means*, whereas it is too often regarded as a *vindictive end*, and obtaining the second by the exhibition of the law *constantly and necessarily victorious over individual obstinacy*, instead of frequently defeated by it. It cannot be doubted that very much of the harshness and obduracy of old offenders arises at present from the gratified pride of having braved the worst that the law can inflict, and maintained an unconquerable will amidst all its severities; and for this pride there would be no place, if endurance alone could serve no useful end, and only submission restore to freedom.

"The end, *reform*, or its substitutes, sustained submission and self-command, being thus made the first objects of secondary punishments, it is next contended that they can only be adequately pursued and tested, — first, by dividing the process employed into specific *punishment for the past*, and specific *training for the future*, and next, by grouping prisoners together, in the latter stage, in associations made to resemble ordinary life as closely as possible (in particular, subdivided into smaller parties, or families, as may be agreed to among the men themselves, with common interests, and receiving wages in the form of marks of commendation, exchangeable at will for immediate gratifications, but of which a fixed accumulation should be required before the recovery of freedom), thus preparing for society in society, and providing a field for the exercise and cultivation of active *social virtues*, as well as for the habitual *voluntary* restraint of active social vices."

After his four years' experience at Norfolk Island, some of these principles were modified by Maconochie, but in its main features his system, as explained to our Massachusetts reformer, the late HORACE MANN, in 1846, and as afterwards made public in numerous tracts and papers, was the same laid down in the Australian pamphlet of 1839. In 1847, he wrote thus: —

at Verdun, in France, and so learned by experience what imprisonment is. He was recalled from Norfolk Island in 1844, and the old system of cruelty was reëstablished there, ending as it had before 1840, in mutiny and murder. In 1849 he was appointed Governor of the Birmingham Gaol, but was removed in 1851, by magistrates who misunderstood his system. He died on the 25th of October, 1860.

"The Mark System proposes to place criminals in a state of *utter poverty, destitution, and bondage*, from which nothing but their own steady, persevering, unflinching exertion, can extricate them. They are to be at the bottom of the well, with a ladder provided by which they *may* ascend if they *will*, but without any bolstering or dragging up by other than their own efforts. If they even halt they are made to descend, for their maintenance from day to day is to be charged to them. Are there not here, then, sufficient elements of suffering to produce a deterring effect? yet everything is strictly conducive to reform; and why, therefore, go further? Why introduce, in addition, chains, and dungeons, and factitious offenses, and all the other apparatus of slavery, so much clung to in ordinary prison discipline, yet so injurious alike to officers and men? Why stigmatize that system as over indulgent which merely ejects these, while substituting at the same time far harder conditions to a degraded mind than they constituted?

"A fallen spirit can easily put up with a little more degradation, a little more contumely, a few harsher restrictions which there is always a contemplated pleasure in evading; but to set his shoulder to the wheel, steadily to struggle out of his position, to command his temper, his appetites, his self-indulging propensities, all voluntarily, all from an *inward* impulse stimulated by a moral necessity, this is a far harder imposition." . . . .

"My intellectual apparatus I propose uniformly for the express purpose of awakening, stimulating, and keeping the mind active, as well as the body; storing it, at the same time, with better thoughts than the disgusting images otherwise most familiar to prisoners; and in this light they cannot be too highly valued. It is in the intervals of entire repose, which, in ordinary management, are allowed to alternate with severe physical toil, that such men corrupt each other. My music, readings aloud, schools, novels, and other similar machinery, then kept many a devil out, and, perhaps, introduced some angels in. They were negatively beneficial at all events, and, I feel assured, in very many cases, positively beneficial also."

Here we find suggested all the chief peculiarities of the so-called Irish, or Crofton System of convict treatment, which was first put in execution by Sir Walter (then Captain) Crofton in Ireland in 1854. Undoubtedly Sir Walter and his associates added many practical details of convict management, and put the plan of Maconochie into a working form, and one which, with slight modifications, can be adopted in any country. We believe that it ought to be so adopted in America, and thus gradually supersede the two or three systems now in use among the forty-five thousand prisoners now in confinement in the United States. The manner in which Maconochie himself regarded the possible introduction of his "Social" prison system in this country, will appear from the following letter written by him to HORACE MANN, nearly thirty years since.[1]

[1] This letter, with a longer one published in *Old and New* for April, 1874, was read at a meeting of the American Social Science Association in 1865, but has never before been printed.

CAPTAIN MACONOCHIE TO THE HON. HORACE MANN.

BRITISH AND FOREIGN INSTITUTE, GEORGE STREET, HANOVER SQUARE,

London, 2nd January, 1846.

SIR: — Mr. Combe, of Edinburgh, has communicated to me your wish to have copies of my chief writings on the management of convicts, and I have great pleasure in now transmitting to you all at present in my possession. The volume that I published first is out of print, and I am lending now here the only copy that I kept. But the pamphlet inclosed contains rather more than its chief results, and the other two printed papers bring my views down to their latest exposition, having been printed here within the last three months. I have never published any account of my Norfolk Island experience, but it is detailed very minutely in five successive Reports which, as the subject seems at present likely to come before our Parliament during its next session, I am in hopes will then be printed by its order. As however, one subject, and that your favorite one, is alluded to in one of the printed papers inclosed, with a specific reference to a case in one of these Reports, I have had that passage copied for you, and also inclose it.

I should be very happy if the views thus explained engaged your attention, and through your means, or any other, obtained the benefit of consideration in your great country as well as ours. They have had great injustice done them here as yet! Having engaged the attention of our Transportation Committee in 1838, it recorded in the Report a wish that they should be tried, on which I was appointed to Norfolk Island. But adequate consideration was not given to the necessity, if I was to try a system of encouragement rather than intimidation, of sending out summary orders that any expectations I was thus led to hold out should be realized. Amidst the bustle of other matters, nearer home, and thus more urgently pressing, this was overlooked, — and even the letter of a law which cramped all my proceedings remained unaltered. The issue of fixed rations continued also undisturbed, and thus my system was never properly tried at all, although in England I was considered to be experimenting on it. I wrote again and again, pointing out what would be the necessary consequence, but meanwhile our ministry was also changed, and the whole subject was comparatively forgotten. — (Pray observe that this portion of my letter is to a certain extent confidential. Anxious as I am at present to revive the subject, as it were, *de novo*, I do not wish to drag into prominence, especially in another country, old sores: and the attitude of complaint, or, as it might be interpreted, appeal from my own government to the public opinion of foreigners, would be an invidious position, and might much embarrass my further proceedings.) The issue, however, was that during the first two years, while my marks were yet in credit, and it was thought that indulgence would certainly be gained through their accumulation, no men could *behave better than mine did.* A large proportion of them were the lees, the refuse even of our penal colonies, men who for years had set every menace, every infliction, at defiance, and who by this, their long conflict with physical coercion, of itself, and apart from original disposition (which was also in many cases bad), were really become very bad and turbulent.

Yet not only were they well conducted while under the influence of the marks, but even after their want of tangible value was proved, through the habits of tranquillity and docility induced by them, and the toning down of turbulent passion, caused by them and by other means and exertions, they continued well conducted. They did not exert themselves so zealously as when stimulated by a belief that their exertions would tell on their liberation; but this indolence became the worst feature in the vast majority of them. A few went further, and attempted, as they phrased it, "to feel my pulse," to ascertain whether my aversion to corporal punishment and other physical coercion was weakness, or not. With them I was forced to come at once to extremities — and thus I got the character at Sidney of having abandoned my own system, finding it inadequate. The truth is, I had never had it, and when it ceased even to have a shadow of existence, I had no choice but to fall back on the old bad methods. But my confidence in moral agency never faltered so long as I had any apparatus for it all; on the contrary it was, and is, a marvel to me now, how long and far its influence extended even after the substance was well known and understood about me to have no longer existence.

At length I was recalled. This was done as kindly and complimentarily as *words* could make it. Lord Stanley wrote to say that it was not done through any want of respect for me, but I had advocated so elaborately a system of discipline that was not eventually approved of, that he could not imagine that I should wish to remain. Nor did I: on the contrary, I had for some time felt that if my views deserved maintaining at all, it was only at home that I could do them justice. The loss and expense so incurred were very great. I had other interests in the Australian colonies, and a large young family with me, but I did not hesitate, and I am even already rewarded. I am becoming very sanguine in my hopes of speedily turning the tide of official opinion here altogether. If I eventually succeed in this also, even my unsuccessful experience at Norfolk Island will have been valuable to me. It has cleared my views; in some very few points modified them, — and where this has not taken place it has given me great additional confidence in them. Among other things, it has raised, not lowered, my estimate of the capabilities of moral recovery lingering in most criminals, even after the appearance of them has long faded. Incidents rise to my recollection, almost without number, as I write, illustrative of this; but I cannot venture here on the subject. I am afraid that, even as it is, I am exhausting your patience.

I feel assured that the plan would work especially well in your country. Your people are generally prudent, well-informed, or at least intelligent, and with the strong feelings of attachment to freedom in which they are reared, a system which appeals to the usual impulses of free society should operate favorably on them, — should bend without breaking them, — which seems to me to express the perfection of a secondary punishment.

In this point of view, my experience leads me to think both your present systems, Silent and Separate Imprisonment, defective. I have never seen the Silent System adopted without eliciting all the worst propensities. Evasion becomes the universal rule, and the extremely violent and severe punishments inflicted in order to repress this, by their disproportion to the abstract quality of the offenses incurring them, shock every sense of justice, and call out all

the bitterest and most revengeful feelings. Separate imprisonment, on the other hand, *I have always found beneficial up to a certain point*, — but this point is not a distant one, — and if passed unobserved, the effect is, I think, rather injurious than otherwise. A man is first very sorry, if properly instructed, even penitent, and forms many good resolutions. Through three or four months also, he will maintain these ; but about this period, a little sooner or later, according to temperament, either he gets acquiescent, and looks about for present amusement or indulgence, or he becomes morbidly irritable and impatient. And both states of mind I have found injurious to moral recovery. As with the monks in the Middle Ages, ascetic discipline appears to me, when prolonged, *either to lower the intellect, or exasperate the feelings, or both.* All my experience leads me to this conclusion.

The weightiest objection to " Social " treatment in any society is the chance of recognition in after years, inseparable from it. But if our punishments were made first of all *Reformatory*, and generally successful in this object, the prejudices of society against the early criminal would abate. In our penal colonies now, a well conducted ticket-of-leave man, or other convict prisoner, is preferred as an overseer to a free emigrant. It is his experience that gives him this preference at present ; but if to this were added a general knowledge in society, that no one could pass through penal training without having exhibiting a long course of actual social virtue, both active and passive, both exertion and self-command, this preference would be both more general and better founded.

At all events, for a long time to come we must transport ; and if at either Auburn or Sing-Sing, where a Social *Silent* System is already maintained, you would try a Social *Moral* one, you would soon get important results, and perhaps even yet anticipate England in setting the example of a really persuasive and reformatory system.

I shall be happy at any time to hear from you in reply, and give you any further information.

I have the honor to be sir, with much consideration,

Your most Obt. Servt.

The Honorable HORACE MANN. A. MACONOCHIE.

It does not appear that Mr. MANN, or any of his friends (the late Senator SUMNER, Dr. WAYLAND, and Dr. S. G. HOWE among the number), made any active effort to introduce the method of Maconochie in 1846–7, into the prisons of the United States. Then, as now, the Congregate and the Separate, or the Auburn and the Pennsylvania Systems, were in vogue, and it was about their respective merits that fierce controversies were waged. The Irish, or Crofton System, has since come before the world, and has, to some extent, combined what was most valuable in the Separate, the Congregate, and the Social, or Maconochie System. But we are still assured by the advocates of the Auburn and the Pennsylvania Systems, that their methods are the best. Let us, therefore, consider these systems for a moment.

The Pennsylvania, or Separate, or Cellular System, and the Auburn, or Silent Congregate System, have each some advantages which the other does not possess. The former, when mildly administered, as now in Philadelphia, and the latter, when strictly carried out, come nearest to each other; yet even then, their results are widely different. And in fact, the Auburn System, in its strictness is now scarcely carried out anywhere in America; certainly not at Charlestown, where the warden has declared that he cannot prevent his prisoners from communicating with each other, nor from obtaining and reading newspapers, to which he ascribes a very malevolent influence. The Congregate System, as now administered, has this merit, that it does not constantly war against the social instinct in men, nor force them so much into a morbid and consuming self-consideration; while it is also more economical, and more easily adapted than the Separate System to the condition of things in America. The Separate System has the merit of securing much greater freedom from contamination, of making, at least for a time, a deeper impression on the convict's mind, and of securing more leisure and opportunity for school instruction. It seems to be equally careful of the health of convicts, though perhaps for some special reasons, more likely to produce a morbid and unsound state of mind; it is also, as practically administered at Philadelphia, more reformatory, less capricious, and more costly, than the Congregate System as administered in Massachusetts. In the Philadelphia prison, the convicts earn about one half of the cost of their support, including the salaries of their officers; in the Charlestown prison they earn this year, about five sixths of their cost; which is, perhaps, a fair average of the proportion of earnings to expenses in the State prisons throughout the country. As a rule, the Congregate System in our prisons tends to grow worse rather than better, and has now, in most of the States, and notably in Massachusetts, little or no influence in repressing crime. This appears from the fact, that while in 1864, with a population of about 1,250,000, there were less than 400 convicts at Charlestown, there are now, in a population of 1,600,000, more than 670 convicts there. The population having increased less than 30 per cent, the convicts have increased more than 75 per cent in ten years.

II. EXISTING PRISONS. — THEIR CONDITION.

A. — THE PHILADELPHIA PRISON.

The Eastern Penitentiary at Philadelphia, built and managed for nearly fifty years on the Separate System, as opposed to the Congregate, which now prevails everywhere in the United States except in Pennsylvania, has generally maintained a high reputation during all

this period. It has commonly been conducted by wardens of experience and intelligence, and in its boards of inspectors have always been gentlemen who have made penal law and prison discipline a study. This has by no means been the case at all times in Massachusetts. The Philadelphia prison has also been managed with honesty and economy, according to the views of economy which the Pennsylvania system admits; for there it is never expected that the labor of the convicts shall pay their whole expenses. Its present warden is Mr. Townsend, a Quaker, now nearly seventy years of age, and a man of great humanity and good sense. When visited by Mr. Ayres in the latter part of March, the number of convicts there was about 625, while the whole number of cells is but 562; so that about 125 of the convicts were lodged with others, and did not come under the rule of strict separation. From the notes of this visit the following extracts are made: —

From the central hall seven arched corridors radiate, with cells on either side, and the prison is now so much crowded that some forty or fifty cells have two convicts in each, thus rendering it, so far as they are concerned, not a separate prison. There are also prisoners who do the general work of the place, and of course are brought into contact with each other. The prison and yards were in good order, and all cells were clean and well ventilated. Many of the convicts had various articles of comfort in their cells, and all can have them, if they will do overwork and earn them. Each cell has a gas jet, a water faucet and a water closet,—the latter is a *very great gain* for the prisoner, as it removes the cause of a very injurious and offensive odor, noticeable in the Charlestown cells, owing to the use there of a wooden bucket. The warden says the prisoners rarely give them any trouble about these things; they are allowed books, and gas to read by in the evening till nine o'clock. There is a speaker to address them in every corridor each Sunday, and there are also a number of persons who come up from the city every Sunday as well as other days, to talk with them for their improvement, going from cell to cell. They work principally on chairs and shoes, and do all in their separate cells. The ventilation of the cells and corridors seemed to be particularly good.

The warden says the walls of the yard are thirty-five feet high, inside, of smooth stone, and no one has ever got over them. A powerful Bude, or other chemical light, is so arranged as to make every part of the yard as light at midnight as at midday. The warden has entire confidence in the system, and says he rarely has any trouble from the prisoners; uses no corporal punishment, but deprives the troublesome ones of some of their privileges, and once in a great while places a refractory convict in a dark cell under the prison and feeds him on bread and water. Many prisoners raise flowers in gardens connected with the cells, and have their rooms ornamented with pictures; one had his cell frescoed. They see and can talk with their officers three times each day, when they are fed, and can see and converse with other persons at proper times. When they have preaching, the doors of their cells are opened about six inches and fastened; the prisoners then can sit near the door and hear all that is said, but without seeing the preacher.

There is a prison mill which grinds all the wheat used; they do not bolt the flour and so the bread is dark colored, but tasted very sweet and good; the rations seemed better than what is fed to the prisoners at Charlestown. The warden contracts with the butchers who furnish the large hotels, and takes their poorer pieces, which give a very good quality of meat, — the poorer parts of a nice ox being much better than the nicer parts of a poor ox.

Mr. Townsend appears to be very well fitted to his place, and has great faith in the principle of reforming by kindness. He admits that all cannot be reformed, by any process, but thinks kindness will improve more than can be reached in any other way. He considers it of immense importance to their doing well after they go out, that they should never see each other in the prison, and so have no possible chance to become acquainted afterwards. He says that about eighty per cent. of those who leave here are never heard from again in any penal institution.

B. — THE CHARLESTOWN PRISON.

This is commonly reckoned one of the two or three best prisons of its class — what in Europe are distinctively called "Convict Prisons" — on the whole continent of America. To a certain extent this reputation is deserved, and perhaps it was never better grounded than now; yet we all know how defective a prison can be in America, and still take high rank by comparison with others that are worse. Its general merits are, (1) Comparative mildness of discipline, and a willingness on the part of the officers to see the convicts reformed; (2) Frugality of administration, so that it has been no burden to the tax-payers, but has yielded small profits above its yearly expenditures; (3) A well-organized system of employing all the convicts in labor; (4) The forms of instruction in secular and religious matters, including a school, a library, a Sunday-school, and a chaplain; and (5) Some oversight of the convicts after their discharge. Its special defects seem to be, (1) A want of knowledge on the part of the warden and other officers, of what can really be done for the reformation of convicts; (2) A lack of enthusiasm and of practical efficiency in the general management, so that the machinery in operation does not produce the best results in checking crime; (3) An arbitrary and military spirit in the discipline which is unfavorable to the highest success among convicts; (4) Too little attention to the sanitary condition and school education of the convicts; and (5) The lack of a proper system of rewards and punishments inside the prison. Add to this, just at present, the lack of sufficient means to look after and give employment to all the convicts who can work, both in prison and upon their discharge.

a. (1) Compared with the state of discipline in the Charlestown prison twenty years ago, its present system seems very much more humane and rational. At that time, flogging was allowed, and often prac-

ticed, and severity towards convicts was the rule. Flogging is now forbidden, and the chief punishment is solitary confinement, which, though in some cases practiced for too long periods, and upon insufficient grounds, is yet not so common as to constitute a distinctive feature in comparison with twenty years ago. There is also, as has been said, a willingness on the part of the officers to see the convicts reformed, and in some cases this may lead them, and actually does lead them into active efforts for their reformation, with visible and satisfactory results. But there is no constant, persistent, and methodical effort, as there always should be, to make the convicts better men.

a. (2) The frugality of administration, of which mention has been made, is sometimes used as a reproach, as if the State were "making money out of its prisoners," — which is a phrase frequently heard. It is possible, of course, to insist too strongly upon making our prisoners, self-sustaining; but, as a rule, it will be found that the best prisons, at least those of the Congregate kind, are those most nearly self-supporting. This is so for the obvious reason that systematic labor, under honest direction (without which no prison can long earn its current expenses), is one of the best aids to the discipline of the convicts, and is in itself a sanitary and reformatory agency. Add to this, that where frugality and good sense appear in the financial management of a prison, they are very commonly accompanied by the corresponding good qualities of a moral nature in the officers. It is to be said, however, that the present year has witnessed the end of a long self-supporting period at the Charlestown prison, in consequence of the burning of workshops, termination of contracts, and a general dullness in the labor market. The expenses at Charlestown (independent of the $30,000 or $40,000 expended in the rebuilding of workshops, etc.), will this year exceed the earnings from labor by at least $25,000; and at the present time but little more than half the convicts there are employed in any kind of labor. Upon a recent visit we found more than three hundred of the able-bodied men sitting unemployed in the new workshops, or engaged for a part of the day (some forty of them), in attending school.

a. (3) It will thus be seen that the "well-organized system of employing all the convicts in labor" has broken down for the present, though not for any long time, as we hope. In case a new State Prison is built at Concord, as is now contemplated, many of these idle convicts will be sent to work on the new constructions, where they will earn the cost of their subsistence in another way than by labor for the prison contractors, who have been paying for their work at an average rate of nearly one dollar per day. Under this contract system there were many incidental evils, though probably no great abuses, and it is possible

that the present period of transition will really be employed to put the whole management of convict labor on a better footing.

a. (4) The "forms of instruction in secular and religious matters" at Charlestown have, until lately, been merely matters of form, for no well-organized school system or course of religious instruction has prevailed there for many years, unless such may be the present fact, of which we by no means feel sure. Out of six hundred and seventy convicts, only forty are men attending a secular school (for five hours a day except Saturdays), and only one hundred and fifty are in weekly attendance upon the Sunday-school. Both these schools are doing good, and the day school is perhaps the germ of something approximating to the admirable school system introduced in Ireland by the late Mr. Organ. But for the present it is regarded by the warden merely as an experiment; though we have reason to think that the chaplain, under whose more immediate charge it is, looks upon it in a somewhat different light. Prison schools have long ceased to be experiments in regions where the nature of prison discipline is best understood.

a. (5) A State agent, having at his disposal a few thousand dollars each year, is charged with the duty of looking after convicts upon their release, and of aiding them to procure honest employment. Not being an officer of the prison, brought into daily contact with the men for whom he is to find places, before they are discharged from the prison, (as was fortunately the position of Mr. Organ in Ireland), this State agent does not generally know much of the men whom he aids, and therefore cannot readily do for them what a better knowledge of their real characters would allow. Therefore, while this agency accomplishes some good, it by no means occupies the whole field, and needs to have its powers and facilities much increased.

b. — DEFECTS IN THE CHARLESTOWN PRISON.

We have already touched on some of the obvious defects at Charlestown, while speaking of the merits which that prison may justly claim. Other and more general ones grow out of the Congregate System itself and cannot be remedied without a material change in that. In contrasting this system with that long since adopted, and still zealously maintained at Philadelphia, due allowance must be made for the social atmosphere and traditional influences of the two localities. Philadelphia is a Quaker city, and its philanthropists have long been imbued with a love of peace and order, and a great distrust of violent and martial measures in dealing with their fellow men. Thus we see in that city a great prison managed successfully by a man of peace, who probably never carried weapons in his life, and is now far beyond the age when most men think of defending themselves or assaulting others by physical force. In Boston, on the contrary — for Charlestown is now a

part of Boston — warfare and men of arms have been held in higher esteem; whether this be the reason or not, the most striking feature in the present management of this prison is the arbitrary and military spirit shown in its discipline, the occasional violence, and the constant apprehension of it which prevails. Educated as a soldier, and accustomed for many years to the rigid enforcement of martial orders, Warden Chamberlain sees the obvious and superficial advantages of military discipline in a prison, without being aware of its unconquerable faults, which have been well pointed out by Maconochie and other high authorities. The purpose of prison discipline should be to mould the individual and guide him to self restraint, upon moral and religious motives; while military discipline is based upon force, and aims to produce a general result on masses of men, wherein each individual is only part of a great machine. To a certain extent the same qualities are needed for a great soldier as for a great prison reformer; there should be courage, authority, singleness and energy of purpose, in both professions. But the methods of the two are as opposite as those of the gardener and the blacksmith; and it would be more unreasonable to cultivate roses and tomatoes with a sledge-hammer, than to attempt personal reformation by military manœuvres.

In most prisons the sanitary condition of the convicts is seldom so well cared for as it should be, and it has been in some respects much neglected at Charlestown. Proper bathing, sufficient clothing, and cells of the proper temperature, have not always been furnished to convicts there, and there is at least one well-authenticated case of a convict whose feet were frozen while in solitary confinement. The insufficient provision for school instruction has already been mentioned. School attendance should be regular and compulsory, except for those who do not need it, — the number of whom is not so great as many suppose, — for few of the convicts are otherwise than ignorant in general matters, though most of them can read and write after a fashion.

The lack of a proper system of rewards and punishments inside the prison is the most serious of all the defects, and at the same time the most common of all, for very few prisons in this country do have a proper system of rewards and punishments. The subject is a difficult one, and until within the last thirty years, no such system of universal application can be said to have been devised. But since Maconochie and Crofton invented and put into a practicable shape what is now known as the Mark System, there has been no lack of a good model, if prison officers would but follow it diligently and faithfully.

IV. — THE COMPLAINTS OF PRISONERS.

Although it is not wise to take for granted all the charges that prisoners make against their keepers, we generally find that some of these

are true. Oftentimes they complain of what is, in fact, a part of their penalty, or the consequence of their own misconduct while in prison. But we may find in the following list of complaints sent us by a prisoner lately discharged from a Massachusetts House of Correction, something that needs to be corrected in the prison itself.

1. Prisoners are not properly bathed upon arrival at the prison.

2. Prisoners are not properly clothed when they arrive in the winter season, and those at the prison are not properly clothed during the winter season.

3. Prisoners are not informed as to the rules and regulations of the prison discipline.

4. Prisoners are severely punished for violating the rules of the prison, while in fact they do not know and never had an opportunity to learn any of the rules.

5. The system of punishment is unjust and arbitrary.

6. The system of labor is unjust and tends to produce discontent amongst the prisoners.

7. The rewards and punishments are unfairly bestowed and inflicted.

8. The solitary cells, or more properly the dungeons, ought to be abolished, as they are instruments of sure and certain destruction of all bodily health, and in many cases of certain, slow, but sure death. They destroy the health of the prisoner and make him forever a burden on society if he wishes to lead an honest life. They give the man confined in them time to brood over his troubles, but they also give him time to form plans to again annoy society, by developing his plans for future depredations.

9. Compelling prisoners to sleep on cold stone floors in damp cells without any covering, often for very slight or imaginary breaches of the rules.

10. The prisoner receives improper food and an insufficient quantity of it.

11. The food is often tainted, and many times in a decomposed state. "Witness." The fish hash given to the prisoners on the 17th of June, 1874, whereby every prisoner was prostrated with diarrhœa, and more than fifty compelled to receive treatment from the doctors, as will appear by the hospital record of the 18th and 19th of June.

12. Prisoners do not receive proper reading matter.

13. The chaplain does not visit the prisoners or give them advice.

14. The prisoner is not educated in any way to reform him, but is highly trained in artifice and vice.

15. The officers in many cases are immoral, and have worse characters than the prisoners they are placed over to reform.

16. The power of the officers being absolute, the prisoners are often punished with impunity for imaginary offenses.

17. The directors do not give the prisoners any chance to complain of any hardships or injustice they may have to endure.

18. The prisoners are not allowed in the yard for any recreation, save only the 4th of July.

19. The friends of the prisoners are not allowed to send them food, fruit, or any luxuries at any time, not even on holidays.

20. The prisoners are deprived of all newspapers by the rules of the prison. Their friends are not allowed to send them any.

21. The treatment in the hospital is harsh and improper.

22. The prisoners are compelled, during about eight months of the year, to go with unwashed faces and filthy hands until dinner time of each day; they are compelled to eat their breakfast with filthy hands; the blankets are seldom washed and never dried except when washed; this happens once about every two or three years.

23. The cells are overrun with bed-bugs and other vermin.

24. Men are not provided with handkerchiefs.

25. The prison is improperly heated and lighted.

V. — PRISON ARCHITECTURE.

There is perhaps no matter of practical importance, in itself so simple, which is involved in so much misapprehension and so often mismanaged as the construction of our prisons. It is very seldom indeed that we see a well-built prison, or one that does not, in some particular, flagrantly violate the architectural rule of combining utility and simplicity of construction in such a way as to secure beauty through fitness. A beautiful, or ornamental prison, in the common acceptation of those words, ought never to exist, — for a prison is not in its nature a thing of beauty, and ought not to be. It should, however, secure the custody and the comfort of its inmates, and for that purpose should have strong and ample and well-ventilated apartments. It should never be large, — five hundred prisoners being the greatest number that ever ought to come under one warden's control, and three hundred being a still better maximum. From the report of a Committee on Prison Architecture, which studied the subject carefully in 1869, at the request of the New York Prison Association, we make these pertinent extracts: —

The cost of prison structures, of whatever class, is a point well worthy of attention, and will probably be so regarded by those on whom the responsibility of erecting them is laid. There has been, of late years, a growing, and, as we cannot but esteem it, an unfortunate disposition to lavish money in the erection of prisons, both as respects the materials used, and the degree of architectural embellishment given to them. The State prison at Joliet, Illinois, has cost over a million dollars, and that now in process of construction at Leavenworth, Kansas, is to cost a million and a half. Supposing this latter to contain one thousand cells, the cost of each will be $1,500, the interest on which, at the rate paid in the Western States, would be $150, and this would be the cost of rent for every convict confined in the prison, a sum which covers the entire cost of each convict in the Connecticut State Prison, including subsistence, clothing, officers' salaries, interest on cost of prison, etc. We would have prisons of every class substantial and tasteful structures; but to prisons of highly ornate and costly construction we are strongly opposed, and that on the following grounds: —

1. Such buildings add not a little to the cost of crime, a burden already quite as heavy as the public find it convenient to bear.

2. The chief points to be aimed at in prison construction are security, facilities for industrial labor, adaptation to reformatory aims, ease of supervision, and a rigid economy. Costly materials and high architectural adornments are not essential to any of these ends, and are directly subversive of the last.

3. A prison with a stately and imposing exterior has a mischievous tendency to give importance to criminals and dignity to crime. We therefore trust that, as a people, we shall speedily rid ourselves of that strange vanity which leads us to make a parade of moral deformity.

4. The science of prison discipline is yet in its infancy. Able minds in Europe and America are turned, with earnestness and vigor, to the study of this problem. New principles, or new applications of old ones, are continually evolved. One improvement suggests another, and it is not in the power of the most far-seeing sagacity to forecast the results of such ceaseless and energetic efforts. One thing, however, is certain; public opinion is gradually changed by them, and society comes at length to look with disfavor upon prisons which are incapable of admitting the improvements suggested by experience. Whenever such an era arrives, if it ever does, among us, the old prisons will not meet the new ideas, and will have to be abandoned or essentially modified.

It is, therefore, highly important that prisons should be built upon the least expensive plan consistent with their fundamental objects and the demands of good taste; otherwise they become obstacles to improvement, — obstacles difficult to be overcome in proportion to the amount of money expended on their construction. How much harder, for example, would it be to induce Kansas to adopt a prison system which would require the abandonment of buildings that cost a million and a half of dollars, than it would Connecticut, whose outlay on her State Prison, from the start, has been less than fifty thousand dollars!

Let us not imagine, then, that our prison edifices must be so constructed as to last through all coming ages; rather let us hope that the advance of sound principles will be so rapid, and the consequent change of public opinion so great, as to require material alterations in our methods of prison construction, to meet the demands of a higher and juster philosophy of public punishment.

. . . . . .

The Committee desire to place on record their opposition to large prisons. In our judgment, three hundred inmates are enough to form the population of a single prison, and in no case would we have the number exceed five or six hundred. Moderate-sized prisons are preferable, both on industrial and reformatory grounds; and especially are they favorable to what the founders of the Irish prison system call *individualization* — the study of the special qualities and characteristics of each prisoner, and the adaptation of the discipline, as far as may be, to his personal peculiarities. . . . .

But it is proper for us to say that, in administering the Irish prison system, it is not, in our judgment, indispensable that buildings should be provided anew, since the essential features of the system can be applied in prisons constructed on the Auburn plan, provided that there is somewhere in the State a sufficient number of cells for the preliminary separation of newly-sentenced

convicts. The number of these being always small in proportion to the whole number under sentence, the cells required need not be very numerous.

These remarks of the Committee (Messrs. John Stanton Gould, E. C. Wines, G. J. F. Bryant, and F. B. Sanborn) relate to all prisons for one or both sexes. In regard to prisons for women, of which we have only a few in the United States (the best and most recent being at Indianapolis, for female convicts who would otherwise go to the State Prison), some special remarks may be necessary.

A PRISON FOR WOMEN.

In building a prison, the first requisite seems to be strength, since it ceases to be a prison if it is not sufficiently strong to retain securely the convicts who may be placed in it. A prison for women, it is readily admitted, does not need so much strength as would be needed for men; it would seem, then, that we may devote more of the cost to achieve that which all so much desire, viz., *the reformation* of the convicts. To this end many things are to be considered, and, first of all, health. The prison should be placed on a hill-side facing from southeast to southwest, in order that the sunlight should enter as many of the rooms as possible, thereby rendering them dry, and enabling those prisoners who do not have the benefit of the yard, to enjoy the direct rays of the sun every clear day. On such a hill-side the sun would shine fully into the yard, and thereby increase very much the productiveness of the inside gardens, which it is desirable to have, for raising vegetables and flowers by the labor of the convicts, for use in the prison and for the market.

Another advantage of a hill-side would be to afford the inmates a pleasant view of the surrounding country, which would be of great value, especially to those confined for a long term.

Of course the prison will be built with a view to providing work for the inmates, of such kinds as will enable them to earn an honest living when they go out; and if it could be of a kind that would not lead them to the cities, but could be made useful in the country, their position would be much safer, and their falling again into the paths of vice rendered much more rare.

Particular pains should be taken to teach them to do their work well, for the really skilled and expert workwoman will not only command better wages, but will much more readily obtain employment. It will also give them hope for the future, if they see that they are really learning some honest means of earning their living.

The rooms or cells should be as light and as thoroughly ventilated as possible. Each one should have a jet of gas, another of water, and a neat and proper water-closet, warming apparatus, and other needful

furniture. Inducements should be held out for the convicts to earn money by overwork, and fit up their cells so as to resemble such a room as they ought to have had in their homes. A chapel for religious services, a proper library, and many other things will of course be necessary to carry forward in real earnest the reformation of the women, who also should be aided by ladies' societies to obtain work when they leave the prison.

In concluding this preliminary report on a question of infinite detail and of great and growing importance, your Committee would call attention to the fact that the average number of convicts in the United States is now nearly double what it was ten years ago, as appears by the carefully prepared statistics of Dr. Wines, the Secretary of the National Prison Association, and that a considerable part of this increase in punished crime is due, more or less directly, to the late civil war. It was an old saying in France in the days of the Fronde, that "War makes thieves and Peace brings them to the gallows,"[1] and now that we have substituted imprisonment for the gallows, the end of a civil war naturally fills up our prisons. They are crowded, and with a class of convicts among whom are many that might be reformed. In the convict prisons of Ireland, under a system of punishment, labor, and instruction, judiciously blended and ably administered, the number of convicts has decreased from 4,000 in 1854, to less than 1,200 in 1874. We cannot hope for so great a diminution of crime in our rapidly-growing country, but we ought at least to prevent it from gaining upon the natural increase of our population, as has been the case for at least ten years past.

F. B. Sanborn,
John Ayres.

Boston, *September* 4, 1874.

THE WORK OF THE AMERICAN ASSOCIATION.

During the year now closing, from October 8, 1873, to October 14, 1874, the American Social Science Association has much enlarged its sphere of activity, and while doing this, has considered various plans for extending its usefulness. The correspondence on this subject, covering a period of several months, but beginning in October last, contains some passages which may be quoted here, as showing how the work of Social Science Associations in America is viewed by experienced persons who have long done their share of such work. First of all we may quote from a letter of the late Professor Agassiz, written in October

[1] *La guerre fait les larrons, et la paix les ameine au gibet.*

last, but a few weeks before the sudden illness which terminated his noble career. With his customary frankness and plainness of speech, he wrote thus: —

I value the success of our Association as much as anything in which I ever had a part; and yet I feel, as you do, that we are not succeeding as we should. The fault lies, I am sure, in the fact that we have no one who is truly, by life-long training, a student of Social Science, and who can direct our action. Good will is insufficient for that purpose. . . . . Every topic concerning civilization is a proper subject for communications and discussions; but I know too little of the men best qualified to present papers, and those I would recommend are probably too busy to prepare special papers. We ought forever to discard rambling addresses and discourses on topics involving human nature in its totality. The Academy of Sciences, in Paris, assumed its commanding authority from the day they excluded discussions upon the system of the Universe. We might well follow their example, — have people speak and write of what they do know, and not of what they feel or believe. . . . . I do not believe we can successfully hold more than one (at most two), general meetings each year; and we should never meet where we are not especially wanted and definitely invited. I approve *public* meetings as often as once a month.

Professor WASHBURN, who has been for many years a member of the Council, or Executive Committee of the Association, having previously held the office of Governor of Massachusetts, and other important public posts, wrote as follows: —

As a National Society, we can only make ourselves known by our public meetings. But to draw leading men and women together at such meetings, we must offer them the attraction of great names, and the assured presence of the best learning and thought of marked men, distinguished in the various departments of social, economical and hygienic science, who will contribute papers to be sent abroad, as representative productions of the Association. But I doubt if it is wise to attempt anything like this oftener than once a year, for the Association does not depend on such men and such meetings for its vital actions. Its life is to be found in the action of smaller bodies, local associations, into which the general one divides itself territorially, — where the members know each other and are content to come together and work without the stimulus and *éclat* of numbers. In these the zeal and earnestness of each member makes itself a power, as has been shown by our friend Barnard. Behind these, there must, of course, be the executive action of the officers chosen to shape and direct the policy and management of the affairs of the Association. My idea, therefore, of local meetings, is, if gentlemen upon solicitation could be induced to prepare one or more papers as often as once a month, upon topics of passing interest, meetings in Boston, New York, Philadelphia, and Providence, New Haven, and perhaps other cities, might be profitably held by district or local Associations, which more or less of the people would attend. Let there be an annual meeting in some large central city, and let there be during two or three winter months, meetings of this

kind in several large centres, and let the Secretary, in cooperation with the Executive Committee, keep up an active correspondence with leading spirits in those districts or cities, and my belief is, that much may be done in awakening sensible men and women to the claims which Social Science has upon them. . . . . As for subjects, I can only say they must be up abreast with the advance of public thought. The great difficulty is in selecting. Education, Finance, Legislation, Labor, Internal Commerce, Prison Discipline, Criminal and Civil Codes, and Taxation, are a few of the hundred topics upon which public attention may easily be awakened.

Professor PEIRCE wrote thus: —

I am of opinion something might be borrowed from the Scientific Association to enlarge the area of our influence. I would therefore have *two* meetings held annually at well-chosen points, each for about a week — say from Tuesday to Saturday, the meetings to close indeed when the material is exhausted. It seems to me it would be well to hold the next meeting in St. Louis (perhaps in December), and the following meeting in Portland, in July or August. By holding the meetings in different cities, persons in the vicinity of each meeting will be drawn into the meeting and will suddenly find themselves gifted with powers to aid the progress of thought in directions stimulated by the Society. These additions will become a permanent gain to the intellect of the nation. I think that the monthly meetings had better be reserved for subsidiary Societies, with appropriate connections with the mother Society. . . . . Let papers be sent from any one who might volunteer, (with an abstract to be laid before the Council of the meeting), and to be read, if not rejected by the Council. I would also have two or three leading papers at each meeting, from distinguished men or women, upon some subject which they might select, or which might be suggested to them, and which they might be invited to give, as has been hitherto done.

Dr. HOYT of Wisconsin, one of the Vice Presidents of the Association, after his return from Europe in December, wrote a letter on the general organization of the Association, which has been much considered, on account of the facts and views which it presented, in the name of the Western members, and those distant from the office of the Association. He said, —

The frequency of the meetings, whether of the several Departments or of the Association in general, is a matter that should be mainly left, for the present, with the Eastern members, who are located nearer to each other, and who, as a rule, have more of that leisure essential to practical effort in the work of the Association. It has been a matter of regret to me that the great distance at which I live from the central seat of the Association has hitherto denied me the privilege of attending even the general meetings. For a number of times in succession, they came at a season when it was impossible for me to absent myself from official duties here; twice they occurred when I was in the Rocky Mountains, and twice or thrice when I was out of the country entirely. In a few instances I could have attended had I known the place and date of meeting in time to arrange plans accordingly. This leads me to

raise the inquiry whether it would not be well to have a *fixed date* for at least one general meeting, annually, and to hold such meeting at a place agreed upon several months, if not a whole year, in advance. With members at the East, whose custom it is to locate the meetings at their own doors, and who are able to attend with the loss of but a day or two, and the expenditure of a few shillings, the question of particular time and place is a matter of much less moment. But with those of us who live a thousand or more miles away, and who must sacrifice some two weeks of time, and at least a hundred dollars in money to every attendance, it is very desirable that we have a set time and place for such attendance.

Next comes the question whether it would not be well, once in a while, to hold a general meeting at some point *nearer* the *geographical centre* of the country, or at least nearer the *centre of population*, than Boston, or even Philadelphia. As yet, we have but few members located west of the Atlantic States; whereas, the Association is designed to be *American*, and should therefore have many members in all parts of the country. I have felt this for a long time, and have only deferred a discussion of the subject because of the hope, constantly entertained, of being able to attend the meetings of the Association, and because I felt that I could present my views more persuasively in person.

With all due respect to the able, self-sacrificing, and truly noble men who organized and have since directed the affairs of the Association, I feel bound to say that there is less than a just appreciation of what the West and South could do for it, if once really enlisted, and of the means requisite to their hearty coöperation. The distribution of officers is a step in the right direction, but it needs to be followed by others, if we would *nationalize* the organization, and make it a great moral power. For myself, I can truly say that I know neither East nor West, North nor South, — that the ends we seek to accomplish, in themselves purely and solely considered, hold the supreme place in my thoughts and desires. But I am not on this account blind to the fact that both sectional pride and party prejudice are positive forces, which it is often much easier to conquer by a skillful flank movement than by either a siege or a direct charge with the bayonet. "The Western Social Science Association," organized at Chicago some five years ago, originated in the desire of a number of good men to promote the advancement of Social Science, coupled with some dissatisfaction with what they considered the too narrow or sectional policy of the American Association. They said, in substance, "The so-called *American* Association is in fact a New England, or at least an Eastern, Society, and so let us form a *Western* Association." Such an organization was formed, and, for a little time, promised to accomplish much good. My desire was that it should be placed in intimate relations with the American Association, and I labored to that end, as Mr. Villard will recollect. At present, the work of the Western Social Science Association is in abeyance; but its members, with very few exceptions, if any, have not been drawn into the fold of the parent society.

At present, the only active organization working in the interest of Social Science, so far as I know, is the "Wisconsin Academy of Sciences, Arts, and Letters," which embraces a *Department* of Social Science. In planning the

organization of this prosperous institution, I took especial pains to provide for Social Science, because of its pressing importance and because I saw that there were several persons in our State competent and ready to work in this field who would rarely or never attend remote meetings of the National Association. The Department has been organized but three years and has not accomplished large results; but its members were instrumental in procuring the foundation of our State Board of Charities, and the Department, as a whole, has produced a considerable number of original papers of much scientific and practical value. The late Bishop Armitage has been succeeded in the presidency by Dr. Steele, President of Lawrence University, who feels a deep interest in the success of the Department, and will use his best endeavors to make it one of the strongest of the five which at present constitute the Academy. The Academy has been assigned rooms in the State Hospital by authority of the Legislature, which also makes provision for the publication of our Proceedings.

President GILMAN, of California, living at a still greater distance than Dr. HOYT, took a somewhat different view; he wrote thus: —

Regarding Dr. Hoyt's paper, after talking with various persons on the matter, I am inclined to think, —

1. That the American Association, as now constituted, is substantially what is wanted. It has done good work, has acquired a good name, is managed by sensible and judicious persons. I should be sorry to see its essential characteristics very much modified just yet, or ever put in jeopardy.

2. That it is very important to organize local societies as you are now recommending. They will exert a more powerful influence in their several districts than the general society. They can give ample time and space to local questions.

3. That the difficulties of securing any system of delegates or of contributions to the general society will be increased if the attempt is made to act through the local organizations. How can California, Texas, or Minnesota, expect to send worthy delegations to the meetings in New York or Boston? How much easier to get a few subscribers to the National Association, than to get a local association (perhaps struggling to print its own pamphlets) to vote a portion of its funds to the National Association! Members of local societies, in their individual capacity will be likely, of their own accord, when they can, to attend the general meetings, subscribe to the national society, and furnish occasional papers.

4. That a system of affiliation can be organized by which local societies, whose aims and methods are clearly akin to the national society's, can be recognized as "auxiliary," "cooperative," or "affiliated." Their object, lists of officers and members, titles of printed publications or manuscript communications, etc., can be printed by the national society. Perhaps "Corresponding Associations" would be a good word. This bond of union would of course be slight, but firm enough, I think, for utility.

In short, my idea is this. The society now organized can best be managed by persons who are near to New York and Boston. The local societies throughout the country can best stand on separate foundations. Cooperation

and affiliation can readily be secured between the various local societies through the National Organization. The distribution of public documents and other pamphlets seems to me easily effected and most desirable.

The plan of local organization has always seemed to me most likely to arouse an interest in the work of the Association, and I have taken some steps to awaken an interest in forming a San Francisco Association. . . . . I inclose a note on the "California Code" (a very remarkable achievement), and a Circular which well illustrates the kind of coöperation I am constantly receiving here, and also the intelligence and public spirit of an express company.

The first inclosure referred to by President GILMAN in the above extract, is the preliminary report of Mr. JUSTICE FIELD, and his associates, in the revision of the "California Codes of Law," and is as follows: —

THE CALIFORNIA CODE.

To His Excellency Newton Booth, Governor of the State of California: —

The undersigned, heretofore requested by you "to serve as a Commission to examine the codes adopted by the last Legislature, and to prepare such amendments as seem to be necessary for the consideration of the next Legislature," respectfully report: —

That we organized our Commission on the 21st day of June, A. D. 1873, and have since that time assiduously devoted ourselves to that work.

We found the four codes — the Political Code, the Penal Code, the Civil Code, and the Code of Civil Procedure — as prepared by the Commissioners and enacted by the Legislature, perfect in their analysis, admirable in their order and arrangement, and furnishing a complete Code of Laws; the first time, we believe, that such a result has been achieved by any portion of the Anglo-Saxon or British races. It seems inexplicable that those people who boast of being the most fully imbued with the sentiment of law, have left their laws in the most confused condition, resting partly on tradition, but for the greater part scattered through thousands of volumes of books, of statutes and reports, and thus practicably inaccessible to the mass of the people. That California has been the first of this class to enact a complete code of municipal law will add not only to the prosperity of her people, but redound to her honor as a State. If the work of the Commissioners needed revision it was mostly owing to obstacles which neither their ability nor industry could overcome.

We found that the codes needed revision more for the purpose of harmonizing their respective provisions, than for any other. This want of complete harmony was a result inevitable to the short period of time which the Commissioners had for the preparation of their work. At the same time it was found that many definitions taken from the proposed codes of New York, which had never been enacted there, did not stand the test of examination; and that many legislative provisions would change our settled law of twenty-two years' standing, and not for the better. We have proposed to change many of these provisions so as to bring them into harmony with the law as

heretofore existing and construed by our courts for nearly a quarter of a century. At the same time our attention has been called to defects which, within the last one or two years, have for the first time made themselves apparent in laws which have stood on our statute book for many years, and which we have endeavored to correct, making as little change as possible in the general frame of the statute.

We addressed a printed circular by mail to the Judges of the Supreme Court, to the District Judges, the County and Probate Judges, and the Judges of other courts of record, to the executive officers of the State, the District Attorneys, County Clerks, Recorders, Auditors, Treasurers, Tax Collectors, and Sheriffs; to the members of the bar, and to the leading merchants, bankers, manufacturers, agriculturists, miners, and other persons representing the producing and material interests of the State, soliciting their suggestions and personal conference with them at our rooms. This call met with a very large response, and we received, both in writing and in person, from the persons thus addressed, suggestions of the greatest value. When we had prepared the drafts of our proposed amendments to the various codes, we issued them in a printed form to the same classes of persons, again soliciting suggestions and amendments. This call was also largely responded to, and we have good reason to believe that criticisms upon our work have for the greater part been frankly and ingenuously communicated to us. The codifiers have also greatly assisted us with their counsels and experience.

We have completed our work upon the Code of Civil Procedure, the Penal Code, and the Civil Code, and herewith transmit the result in the form of three proposed legislative acts for the amendment of those three codes respectively. A glance at these proposed amendments will show their scope and extent; but we may be permitted to point out some of the most important objects which we have hoped might be attained by means of our work.

In the code of Civil Procedure we have suggested several important amendments; one respecting the jurisdiction of the courts, especially of the Supreme Court upon appeal, which, if adopted by the Legislature, and approved by the Supreme Court, will, we think, give relief upon appeal in a large class of cases affecting property, where that remedy is not now allowed. We have endeavored to render the laws for selecting jurors more efficient, and to discard the rule which often disqualified the most intelligent persons drawn as jurors, because they had expressed an opinion upon merely outside rumors. We have proposed to dispense with the verification of the pleadings in those cases where, if required, there is always an oath on one side and an opposing oath on the other, leading to great corruption and demoralization. We have endeavored to simplify and expedite the procedure on moving for new trials; to dispense with special findings by the courts, in cases where they are not needed; to render the rules of evidence clearer and more precise; to purge definitions from all redundancy; to restore to the clauses regulating redemption from sales under judgment, some material provisions which had been left out by accident, and to remedy some defects in them which have only lately been discovered; and to make the provisions regulating actions against steamers and boats, for the first time, constitutional under the decisions of the Supreme Courts of California and of the United States.

In the Penal Code we have devoted ourselves in a large degree to the same kind of work, but not to the same extent. A great amendment which we have proposed relates to the formation of trial juries, to be composed of men of intelligence. We have endeavored to simplify pleadings in criminal cases — to render a conviction for embezzlement possible — and have proposed that when an acquittal shall be had on the ground of insanity, that the verdict shall state that fact, and that an inquest may be then had as to the insanity of the defendant, and if he be found still insane that he be sent to the Insane Asylum.

Our labors upon the Civil Code have been more extensive than upon the others. While we have thought that the law of marriage should be simple and entirely free from dangerous technicalities, we are of opinion that the least evidence of such a contract which can be permitted is a public declaration of the parties.

We found the existing laws respecting children under age exceedingly defective, although they were only a compilation of laws on the statute book, which had been passed from time to time. A girl of fifteen may now make a marriage contract or a marriage, which renders her of full age, emancipates her from guardianship and enables her — if persuaded to do so by designing persons — to dispose of all her property and impoverish herself for life. All infants, of whatever age, can by the existing law put all of their property out of their control and that of their guardians, and cannot recover it without restoring the consideration received, which may have already been dissipated or stolen. In other cases infants are enabled for special purposes to make contracts, which may strip them of all their property and leave them in a state of insolvency. We have endeavored to make the law of corporations more simple and certain. We have carefully revised the laws relating to shipping and insurance. We have proposed amendments to the laws relating to common carriers, especially to express and telegraph companies. We have revised the laws relating to frauds and conveyances, and the recording of conveyances and notices, so as to bring them up to the range of decision and the advanced business methods of the age. We have, after much consultation with Judges and the most experienced members of the legal profession, prepared a series of amendments to the Civil Code and the Code of Civil Procedure on the subject of homesteads, which, if adopted, will, we are persuaded, carry out the beneficent objects of that institution more effectually than has heretofore been done. We have proposed to strike out the whole chapter on Powers, as wholly unsuited both to the wants and habits of the people, retaining one or two sections by amendment of other portions of the Civil Code, in places where the provisions of those sections properly belong.

The Codifiers most wisely determined that each code should be as complete as possible in itself, without the necessity of being supplemented by the consultation of any other of the codes. The exceptions to this practice are mostly, if not wholly, confined to cases where the Code of Civil Procedure is necessarily referred to for the mode of executing some provision of law. From this has resulted the existence of substantially the same definitions and provisions in two, and sometimes in three, of the codes, but oftentimes not expressed in precisely the same terms. In all these cases we have endeavored to select the best form of expression, and to render the language uniform in all the codes.

While we have endeavored to render more complete and harmonious those codes which the Legislature have approved as belonging to the settled policy of the State, the same motive has deterred us from proposing any amendments to the Sunday laws, or to the laws relating to railroads. Any changes in those laws would import a change of public policy, and recommendations of that kind we did not regard as within the scope of our work.

Our report upon the Political Code will be submitted hereafter.

(Signed) STEPHEN J. FIELD,
JACKSON TEMPLE,
JOHN W. DWINELLE.

SAN FRANCISCO, *October* 13, 1873.

President GILMAN's second inclosure comprised a letter addressed by him to the Superintendent of Wells and Fargo's Express company in California, and the letter of instructions in regard thereto, issued to the hundreds of agents and employés of that company, — both being printed in the form of a circular, and sent out to all parts of California. In consequence of the generous and active coöperation by the express company, the University of California has since received and is now receiving large collections for its cabinets. We copy the two letters: —

PRESIDENT GILMAN'S LETTER.

UNIVERSITY OF CALIFORNIA.

BERKELEY, OAKLAND, *December* 1, 1873.

MR. J. J. VALENTINE, *Gen'l Supt. W., F., & Co.'s Express, San Francisco.*

DEAR SIR: — The University of California has only recently entered upon its new site at Berkeley, taking possession of two large and commodious buildings provided by the State. Here are spacious and handsome rooms for museums and cabinets. Can you not through your widely extended agencies help us to fill them with such objects as will illustrate the resources, the natural productions, and the Indian history of this country? We shall be especially glad to receive such specimens as these: —

1. Minerals, ores, fossils, and metallurgical products.
2. Specimens of the native plants, of the woods, timber, and peculiar vegetation of any region.
3. Specimens of rare insects, fishes, shells, birds, and animals.
4. Indian antiquities, skulls, weapons, stone implements, dresses, and other illustrations of aboriginal life.
5. Books, pamphlets, photographs, and maps.

Full directions will be given to any one interested in making collections, and every object received will be gratefully acknowledged to the donor, if the source of the gift is known, and will be accordingly entered on the University Records. Specimens should be distinctly labeled, especially as to *the place* from which they were originally taken.

The University of California belongs to the State, and is free from sectarian character. It is absolutely free in tuition, and open to students — young men

and women — from any state or country; it is devoted to the higher education, literary and scientific, and especially interested in the Pacific Coast.

Your kind coöperation will be most serviceable, and will be gratefully appreciated.

Yours, very respectfully,

D. C. GILMAN,

President of the University of California.

MR. VALENTINE'S CIRCULAR OF INSTRUCTIONS.

WELLS, FARGO, & CO.'S EXPRESS.

GENERAL SUPERINTENDENT'S OFFICE, SAN FRANCISCO, *December* 5, 1873.

To Agents and Employés of WELLS, FARGO, & COMPANY.

GENTLEMEN: — The accompanying letter from Prof. D. C. Gilman, President of University of California, explains itself. There is probably not one of the six hundred places at which this Company is represented, which will not at one time or another afford opportunities for securing desirable articles for contribution at no expense or trouble to an Agent, Clerk, or Messenger, but which will undoubtedly be invested with much interest, and possibly prove of great value in a collection such as the University of California should, and undoubtedly will, secure sooner or later.

In bespeaking and hoping for your sympathy with and interest and coöperation in accomplishing the object set forth, you are not obligated officially or personally to subject yourselves to inconvenience or discomfort in any particular; but we have such a favorable opinion of the intelligence of the Company's employés as to believe there will be a very general interest manifested and coöperation vouchsafed.

It is not expected that a general or important collection will be secured immediately, nor will a spasmodic effort effect much. What is most desirable will be to post this and the letter referred to in a conspicuous place in your office, and from time to time secure such offerings as will undoubtedly be tendered by all classes of men: for there is no walk in life in which knowledge — which is power — has not earnest votaries.

"By knowledge we do learn ourselves to know,
And what to man and what to God we owe."

Whenever any article is obtained, pack it securely, and address —

UNIVERSITY OF CALIFORNIA,

Berkeley (Oakland), Cal.,

Way-billing it by express to Oakland, *free*, inclosing by letter to the University any information relating to the thing sent.

Very respectfully yours,

JNO. J. VALENTINE,

General Superintendent.

THE MINNESOTA BOARD OF HEALTH.

A Paper by Dr. Charles N. Hewitt, Secretary of the Board.

[Omitted in Report of Health Conference, p. 250.]

The Minnesota State Board of Health and Vital Statistics was provided for by the following act of the Legislature, approved March 4, 1872: —

Be it enacted by the Legislature of the State of Minnesota: —

Section 1. The governor shall appoint seven physicians, one from the city of St. Paul and the other six from different sections of the State, who shall constitute the State Board of Health and Vital Statistics. The physicians so appointed shall hold their offices for four years, and until their successors are appointed, and all vacancies in the Board shall be filled by the Governor

Sec. 2. The State Board of Health shall place themselves in communication with the local boards of health, the hospitals, asylums, and public institutions throughout the State, and shall take cognizance of the interests of health and life among the citizens generally. They shall make sanitary investigations and inquiries respecting the causes of disease, especially of epidemics, the source of mortality and the effects of localities, employments, conditions, and circumstances on the public health; and they shall gather such information in respect to these matters as they may deem proper for diffusion among the people. They shall devise some scheme whereby medical and vital statistics of sanitary value may be obtained, and act as an advisory Board to the State in all hygienic and medical matters, especially such as relate to the location, construction, sewerage, and administration of prisons, hospitals, asylums, and other public institutions. They shall at each annual session of the Legislature make a report of their doings, investigations, and discoveries, with such suggestions as to legislative action as they may deem proper. They shall also have charge of all matters pertaining to quarantine, and authority to enact and enforce such measures as may be necessary to the public health.

Sec. 3. The board shall hold regular meetings, at least once every three months, one of which meetings shall be held at the Capitol during the session of the Legislature. Their first meeting shall be held at the Capitol within ten days after their appointment shall have been made, and three members shall always constitute a quorum for business. They shall elect, from their own number, a President and permanent Secretary; the latter shall be their executive officer. No member except the Secretary shall receive any compensation, but the actual expenses of any and all the members while engaged in the duties of the Board shall be allowed and paid to the extent authorized by this act.

Sec. 4. The Secretary shall perform and superintend the work prescribed in this act and shall perform such other duties as the Board may require He shall furnish to the Legislature when in session information cognate to this act as from time to time they may deem necessary.

SEC. 5.[1] The Secretary of the Board shall receive from the treasury, in quarterly payments, an annual salary of two hundred dollars, and his necessary and actual travelling expenses incurred in the performance of official duties, after they have been audited by the Board and approved by the Governor, and all other necessary expenses arising in his office shall be paid out of the treasury in the same manner as those of the different departments of State Government; Provided, that the expenses of said Board shall not exceed the sum of five hundred dollars per annum.

The Governor commissioned the following gentlemen members of the Board: D. W. Hand, M. D., St. Paul; A. B. Stuart, M. D., Winona; N. B. Hill, M. D., Minneapolis; A. W. Daniels, M. D., St. Peter; Charles N. Hewitt, M. D., Red Wing; V. Smith, M. D., Duluth; G. D. Winch, M. D., Blue Earth City.

The Board organized by the election of Dr. Stuart, *President*, and Dr. Hewitt, *Secretary*.

By order of the Board, the Secretary has edited the "Vital Statistics of the State" for the Commissioner of Statistics, whose duty it is to collect and publish them.

Recognizing the fact that permanent progress in their work depended upon a better popular knowledge of Hygiene, the Board urged a better provision for this study upon the Regents of the State University, the Normal School Board, County School Superintendents, and local School Boards. As a result of this action, a Department of Instruction in Public Health has been organized at the State University, of which the Secretary of this Board is Professor. The instruction is by textbook with certain of the classes, and by a course of lectures open to all. One such course has already been given, and a definite knowledge of Hygiene is now required for a degree. The effort is now being made to establish, in connection with this Department, a Museum of Sanitary Science, to include models of heating and ventilating apparatus; of apparatus for the storage, conduct, and purification of water; samples of the various preparations of food, their impurities, and adulterations, etc. For this collection, contributions are requested to be sent to the Secretary of the Board. They will be marked with the donor's name, put on exhibition in the Museum, and be used in illustration of the subject to which they relate. Many of the local school boards have given Hygiene a recognized place in the scheme of studies required, and teachers are becoming more familiar with it through the efforts of the Board in Teachers' Institutes and with individuals.

The attention of the Legislature was called, in 1873, to the necessity of an Asylum for Inebriates, and an Act was passed laying a tax of ten

[1] Amended in 1874, making the salary of the Secretary five hundred dollars, and the whole appropriation fifteen hundred dollars.

dollars on liquor dealers for an Inebriate Asylum fund. By order of the Governor the Secretary of this Board visited the American Inebriate Asylums, and presented a report on them which was printed in the Transactions of the Board for 1874. Eleven thousand dollars are in the treasury of the State to the credit of the fund, but the constitutionality of the law is in question before the Supreme Court, and until the decision is rendered the collection of the tax is suspended.

As provided in the law of its organization, the Board have begun and continue a careful inspection of the public institutions, their construction and management, so far as relates to the health of the inmates. Their investigations have already resulted in great good, and will be of still greater benefit in the future. The Board are also examining the construction of school buildings, often at the request of school boards. Committees of the Board are at present preparing papers on the following subjects for the forthcoming report: —

The "Ventilation of Public and Private Buildings." Dr. D. W. Hand, St. Paul, *Chairman*.

The "Influence of Climate and Residence in Minnesota on Diseases of the Air-passages." Dr. Franklin Staples, Winona, *Chairman*.

The "Meteorology of Minnesota, and the Existence and Influence of Ozone." Dr. A. E. Senkler, St. Cloud, *Chairman*.

The "Food of Our Population, including Impurities and Adulterations." Dr. Charles N. Hewitt, Red Wing, *Chairman*.

Active local Health Boards are in operation at St. Paul, Minneapolis, and other towns of the State, and in correspondence with the State Board. This Board is more and more frequently consulted on sanitary subjects by corporations and individuals, and is doing all in its power to stimulate and satisfy interest and inquiry in this direction. It consists, at present, of the members named on page 216.

RED WING, MINNESOTA, *September*, 1874.

In order to indicate to our countrymen the kind and amount of work which is undertaken in Great Britain by the National Association for the Promotion of Social Science, after which our own was modeled, we copy below a brief report of the annual business meeting of the members of that Association, held in London, July 9, 1873. It may be observed in passing, that the Transactions at the Norwich Congress here so slightly touched upon, fill a volume of more than seven hundred pages. The British Association has been in existence since 1857, or twice as long as our own. When we have attained such an age, may we have as good a record to show!

ANNUAL BUSINESS MEETING OF MEMBERS.

G. W. Hastings, Esq., in the Chair.

The Annual Business Meeting of Members was held in London on Thursday, July 9th, to receive a report from the Council on the Financial and other business of the Association, and to elect the Officers and Standing Committees for the ensuing year. The following is the report of the Council to the Meeting: —

"The Council have to report that the Annual Congress of the Association for 1873 was held at Norwich, from the 1st to the 8th of October last, under the presidency of Lord Houghton, and the Session of 1873–74, was opened on the 17th of November, by a paper by Mr. Thomas Webster, Q. C., F. R. S., on the Law of International Copyright. The discussions at the Congress and the Sessional Meetings were very well attended, and the subjects interesting and important.

Since the last Annual Meeting, seventeen Sessional Meetings have been held, at which the following Papers were read and discussed: —

November 17th, 1873. — The Law of Copyright, as Affecting British Authors in the Colonies, United States, and Foreign Countries. By Thomas Webster, Q. C., F. R. S.

December 1st. — On the Mode of Selection of Beneficiaries to Charitable Institutions. By Henry Carr.

January 12th, 1874. — Local Taxation and Local Government. By Frederic Hill.

January 26th. — The Law of Conspiracy and its Modern Application. By Rupert Kettle.

February 2d. — The Government of London. By Arthur Arnold.

February 9th. — Rules of Practice and Procedure to be Framed under the Judicature Act, 1873. By G. M. Dowdeswell, Q. C.

February 23d. — School Hygiene. By Dr. Richard Liebreich.

March 2d. — Hospitals, Cottage Hospitals, and Ventilation. By Dr. Shrimpton.

March 16th. — The Policy of Granting Letters Patent for Inventions, with Observations on the Working of the English Law. By John Coryton.

March 30th. — On the Abolition of Private Slaughter-houses in Towns, and on Future Legislation for Noxious Trades. By William Hardwicke, M. D.

April 20th. — On Out-door Relief. By William Vallance.

April 27th. — On Compulsion and other Means of carrying Primary Education to all Classes. By Rowland Hamilton.

May 4th. — On the Land Transfer Bills. By George Sweet.

May 18th. — The Amelioration of the Present Position of Midwives. By J. H. Aveling, M. D.

June 1st. — On the Abolition of Imprisonment for Debt. By Professor Leone Levi, F. S. S.

In addition to the above, the Third Annual Conference of Chairmen and Vice-chairmen of Boards of Guardians was held on the 16th of December, under the presidency of S. S. Dickinson, Esq., M. P., when the following subjects were considered: —

1. The Systematization and Circulation of the Reports of Conferences. By T. B. Ll. Baker.

2. The best Means by which Guardians can utilize Voluntary Efforts. By Colonel Gardiner.

3. On Contagious Ophthalmia, as influenced by the Arrangements of Workhouses and Pauper Schools. By R. Brudenell Carter, F. R. C. S., Ophthalmic Surgeon to St. George's Hospital.

4. The Duties of Guardians in relation to the Public Health Act. By Sir Baldwyn Leighton, Bart.

The success of the two previous Conferences, held under the auspices of the Association, fully justified the Council in calling together again the Representatives of Boards of Guardians from all parts, so that those who have specially devoted their attention to these subjects might compare their opinions and experience

International Copyright. — Deputations from the Council have waited on the Earl of Carnarvon at the Colonial Office, and the Earl of Derby at the Foreign Office, to urge upon their lordships the necessity of providing better securities for the property of British subjects in intellectual labor in foreign countries than at present exists. The subject was brought before the Association in a paper by Mr. Webster, Q. C., early in the Session, and the reasons assigned for an amendment of the law were the following: That under the "Imperial Copyright Act, 1842," any person, whether British subject or alien, on first publishing a book in the United Kingdom acquires a copyright throughout the British Dominions. That a British subject publishing for the first time in Canada, or in any other part of the British Dominions, obtains no copyright in the United Kingdom, nor in any other part of the British Dominions, except what the *lex loci* may give him within its limits. That the "Act, 1842," prohibits the importation of reprints of British Copyright books into the colonies. That the "Colonial Copyright Act, 1847," provides for the suspension of the prohibition against importation to the colonies of reprints of books in which there is British Copyright, in cases in which the colony makes due provision for the rights of the author, such provision being approved by her majesty in Council. That the "Act, 1847,"

has utterly failed in its object, so far as relates to the protection of authors, and that such statute ought to be repealed and fresh provision made for the protection of the copyright of British authors in the colonies.

LAND TRANSFER. — The Standing Committee of the Municipal Law Section have considered the expediency of providing for local registration of title under the Transfer of Land Bill, and they have presented a petition to the House of Commons in favor of the establishment in different parts of the country of offices for the economic and expeditious dispatch of business, and otherwise for the convenience of persons desirous of registering titles.

PRISON DISCIPLINE. — A deputation waited on the Secretary of State for the Home Department to ask for the appointment of a Royal Commission to inquire into the management and discipline of County and Borough Prisons in Great Britain. The application was based upon three grounds, namely, the want of uniformity in discipline and management, the smallness of the average daily number of prisoners in many of the gaols, which rendered it impossible to conduct any system efficiently, and the third, the question of how far industrial labor in prisons may be extended, and whether it may not partly be substituted for penal labor.

FEMALE EDUCATION. — A conference on Female Education was held in connection with the Education Department, at the Norwich Congress, at which papers were read on "The Organization of Schools and Elementary Teaching."

THE ELEMENTARY EDUCATION ACTS. — The Standing Committee of the Education Department have had their attention drawn to the working of the Elementary Acts in towns or rural districts. Many active members of School Boards are desirous of comparing their experiences with others similarly occupied in different parts of the country, especially as to the working of the permissive powers given under the Act of 1870. All who are practically engaged in diffusing instruction among the masses must feel the necessity of gaining the support of an intelligent local opinion, without which legislation, especially on educational subjects, must become little better than a dead letter. The Council, therefore, is induced to offer its services as a means of intercommunication between all who are concerned in the work of Primary Education, and in accordance with a resolution submitted to them, have appointed a Special Committee for the purpose of comparing experience as to the working of the Elementary Education and other Acts.

THE SANITARY LAWS. — The Joint Committee of this Association and the British Medical Association presented their annual Report to the Norwich Congress. Since the passing of "The Public Health Act, 1872," the Committee have contented themselves with watching its working. This has been very uncertain, presenting totally different features in different parts of the country, making it a difficult matter to ascertain the present, and still more to forecast the future, condition of sanitary organization. The Committee report that the past session has shown that the President of the Local Government Board was at last becoming aware of the reasonableness of the views so persistently urged upon him by the Committee — that somebody of higher authority, and presiding over an area of greater extent than that of a Town Council or Board of Guardians, was required to control and direct local action, and that a supervision and correction of boundaries of districts was an

essential to the initiation and completion of sanitary measures. The great question of the best means for the ultimate disposal of sewage has remained in abeyance during the past year. Little or nothing has been done, and the difficulties attending the best mode to be adopted, and the means to be provided for acquiring the necessary land for irrigation, filtration, or other means of deodorization and defecation, remain untouched and unsolved.

Analyses of Air and Water. — A resolution was passed in the Health Department at the Norwich Congress, recommending the Council to call the attention of the Government to the advantage of procuring and publishing periodically an analysis of the air and drinking-water of large towns having a high density of population. The Council accordingly memorialized the Local Government Board, urging that the knowledge of ascertaining the relative constituents of air and water would assist very materially in detecting disease, and thereby suggesting what may be needful for the protection of public health, and for the prevention of the spread of contagious diseases. And that it would be desirable and advantageous to ascertain and publish periodically analyses of the air and of the drinking-water in towns, for the safety of the public health.

Loss of Life at Sea. — A deputation from the Council of the Association waited upon the President of the Board of Trade to urge upon him the necessity of adopting some system of medical registration and legal inquiry into the cause of deaths on the high seas, with a view to diminish the present high rate of mortality in the mercantile marine. The mortality in the mercantile marine had been brought before the Association on several occasions by Commander Dawson, R. N., who had paid much attention to the subject, and since then it had been considered by the Standing Committee of the Health Department, who recommended that some representation should be made to the Government to secure, if possible, medical registration and legal inquiry by a coroner into the cause of deaths upon the high seas, and the prosecution of persons suspected of criminal conduct.

Abolition of Private Slaughter-houses. — In 1844, an Act was passed, commonly known as the "Metropolis Building Act," which provided for the carrying on of unwholesome businesses at greater and safer distances from other buildings used for habitation. For carrying out this object, it was enacted that for the purpose of making provision concerning businesses offensive or noxious, that with regard to the business of a slaughter of cattle, so far as relates to the erection of buildings, it should not be lawful for any person to establish or newly carry on any such business, either in any building or vault, or in the open air, at a less distance than forty feet from any public way, or than fifty feet from any other such building of the first or dwelling-house class, and that if any such business should be carried on in any situation within such distances, then, from the expiration of the period of thirty years next after the passing of the Act, it should cease to be lawful to continue to carry on such business in such situation. That Act will expire next month, and the Standing Committee of the Health Department have had under their consideration the substitution of some plan whereby the erection of new private slaughter-houses may be prevented. The Committee, therefore, recommended to the notice of the Government that slaughter-houses or

abattoirs should be erected in open spaces, in convenient suburban localities only, where every facility exists for keeping cattle clean, in well-kept pens, duly provided with pure water, fresh air, shade in hot and shelter in cold weather; where they are less exposed to violence and brutality, and where the transport of blood, offal, hides, and tallow can be effected without nuisance or complaint of neighbors. That provision should be made for the inspection, by competent judges, of the cattle before they are killed, or of the meat supply, either in carcass or otherwise, to the public markets, or to retail dealers; and, lastly, that as no provision has at present been made for the erection of abattoirs or public slaughter-houses to supply the place and deficiency of private slaughter-houses, that an Act of Parliament be introduced to grant a license for a short period of time, to afford an opportunity to local authorities and others to take the necessary steps to provide a substitute after the manner suggested above.

Registration of Births and Deaths.—A joint deputation of this Association and the Statistical Society waited upon the President of the Local Government Board, to urge on him certain amendments to the Bill then before Parliament to amend the law relating to registration of births and deaths in England. The statement put in by the Standing Committee of the Health Department was to the effect that the object of the Registration Acts is to record accurately certain particulars respecting every birth and death in the country, and to keep up a perpetual register of the people. The Committee were of opinion that the Bill was defective in the following respects: (1.) The time allowed to elapse before information is given. (2.) The introduction by the Bill of no proper safeguard against the burial of live-born children for still-born; and (3.) The diminution of the effect of the provisions of the Public Health Act of 1872 for statistical purposes, by allowing so long time for registration. These objects were pressed on the attention of Mr. Sclater-Booth, who promised to give them his best consideration.

Sanitary and Educational Exhibition.—An Exhibition of Sanitary and Educational Appliances, similar to that held at Leeds in 1871, was held in connection with the Congress at Norwich, and was highly successful. The exhibition was opened by the High-sheriff of Norwich with an address *apropos* of the occasion, and short lectures were delivered on sanitary subjects by gentlemen well qualified to handle the subjects they took in hand. The Council have sanctioned the holding of another Exhibition for the display of Sanitary and Educational appliances during the meeting of the ensuing Congress. The arrangements, as before, will be under the superintendence of a Managing Committee. The Burnbank Drill Hall at Glasgow has been secured for the purpose.

Labor and Capital.—A meeting of the General Committee on Labor and Capital was held, to receive a report from the Executive Committee recommending the suspension of further operations in consequence of the want of funds to carry them on. The Committee remarked that, though they had nothing fresh to report, they had witnessed, with great pleasure, the continued exertions, in the settlement of trade disputes, of one of their members, Mr. Rupert Kettle, in his capacity of arbitrator between employers and employed; not to mention the valuable paper on the "Law of Conspiracy and

its Modern Application," which he read at a meeting of the Jurisprudence Department. Although not exclusively relating to questions of labor and capital, much information and instruction on this subject were afforded by other members, — Mr. Thomas Brassey, M. P., in his address as President of the Department of Economy and Trade, at the Norwich Congress, Mr. Walter Morrison, Mr. Mundella, M. P., Mr. Jeremiah Head, and the learned Chairman of the meeting, Mr. Thomas Hughes, Q. C.

Local Taxation. — The subject of Local Taxation and Government has been under the consideration of a Committee, who have reported that the questions involved affect many various and complicated interests. Different propositions regarding them were discussed at much length, and from many points of view. The conclusions arrived at by the Committee, as far as they are embraced in the definite resolutions, must be regarded in some degree as recommendations of a tentative character, which actual experience only can modify into any definite rules of action.

Committees. — In addition to the before-mentioned subjects, the Committees have had under their consideration the Local Government of the Metropolis, the "Juries' Bill," and others which have not been proceeded with in Parliament.

Foreign Corresponding Member. — The Council have elected Mr. Edwin Pears, of Constantinople, formerly General Secretary of the Association, a Foreign Corresponding Member of the Association.

Annual Accounts. — A statement of the accounts is appended herewith, showing receipts of £1,776, and disbursements and liabilities of about £1,700. At the end of the financial year the only liability was 175*l.* 13*s.* 6*d.* for printing, against which there is a balance in hand of 255*l.* 14*s.* 5*d.*

The Council have to record with regret the death of several members of the Association, among whom may be mentioned, Thomas Baring, M. P.; Sir W. H. Bodkin, Q. C.; the Marquis of Clanricarde; Lord Colonsay; Donald Dalrymple, M. P.; William Dornbusch; John Lawson, C. E.; J. G. Marshall, of Leeds; W. H. Moss, of Hull; the Rev. Canon Richson, of Manchester; Sir David Saloman, Bart., M. P.; Joshua Satterfield, of Manchester; H. L. Tennant, of Greenock.

Officers and Standing Committees. — The Council recommend the election of the following Officers and Standing Committees of the Association for the ensuing year: —

President. — The Right Hon. the Earl of Rosebery.

Permanent Vice-president — The Right Hon. Lord Houghton.

President of Council. — G. W. Hastings.

Presidents of Departments. — I. Jurisprudence and Amendment of the Law. — The Right Hon. Lord Moncrieff (Lord Justice Clerk of Scotland). II. Education. — The Right Hon. Lord Napier and Ettrick, K. T. III. Health. — The Right Hon. Lyon Playfair, C. B., F. R. S., M. P. IV. Economy and Trade. — Sir George Campbell, K. C. S. I.

Chairman of the Repression of Crime Section. — Frederic Hill.

General Secretary. — C. W. Ryalls, LL. D.

Foreign Secretary. — John Westlake, Q. C.

Treasurer. — W. Strickland Cookson.

Auditors. — Francis Fuller; A. V. Newton.

Secretaries of Departments. — I. JURISPRUDENCE AND AMENDMENT OF THE LAW. — *Section B.* — Municipal Law. — H. N. Mozley. *Section C.* — Repression of Crime. — Thomas W. C. Jones. II. EDUCATION. — Rev. Brooke Lambert; Rowland Hamilton. III. HEALTH. — William Clode; William Hardwicke, M. D. IV. ECONOMY AND TRADE. — F. G. P. Neison; E. L. O'Malley; Rev. S. A. Steinthal.

The following is the Announcement of the Social Science Congress at Glasgow which is soon to assemble: —

NATIONAL ASSOCIATION FOR THE PROMOTION OF SOCIAL SCIENCE, WITH WHICH IS INCORPORATED THE SOCIETY FOR PROMOTING THE AMENDMENT OF THE LAW.

The Eighteenth Annual Congress will be held at Glasgow, from 30th September to 7th October, 1874.

President, the Honorable the Earl of Rosebery.

President of the Council, George Woodyatt Hastings, Esq.

General Secretary, C. W. Ryalls, Esq., LL. D.

Treasurer, W. Strickland Cookson, Esq.

Foreign Secretary, John Westlake, Esq., Q. C.

Assistant Secretary, Mr. James Robinson.

Chairman of the Local Executive Committee, Sir James Watson, Lord Provost of Glasgow.

Treasurers, Alexander Moore, Esq., C. A.; Thomas Balmain, Esq., British Linen Bank.

Secretaries, Mark Bannatyne, Esq., Andrew Fergus, Esq., M. D.; Professor Gairdner, M. D.; Andrew S. M'Clelland, Esq., C. A.

Acting Secretary, Mr. Henry Johnson, 147 West Regent Street.

General Office, 1 Adam Street, Adelphi, London, W. C.

Local Offices, 147 West Regent Street, Glasgow.

OBJECTS OF THE ASSOCIATION.

The Association is established to aid the development of Social Science, to spread a knowledge of the Principles of Jurisprudence, and to guide the public mind to the best practical means of promoting the Advancement of Education, the Prevention and Repression of Crime, the Reformation of Criminals, the adoption of Sanitary Regulations, and the diffusion of sound principles on all questions of Political and Social Economy. The Association aims to bring together the various societies and individuals who are engaged or interested in furthering these objects; and, without trenching upon independent exertions, seeks to elicit by discussion the real elements of truth, to clear up doubts, to harmonize discordant opinions, and to afford a common ground for the interchange of trustworthy information on the great social problems of the day.

DEPARTMENTS.

I. — JURISPRUDENCE AND AMENDMENT OF THE LAW.

President, the Right Honorable Lord Moncreiff, Lord Justice-clerk of Scotland.

Vice-Presidents, the Right Honorable Edward S. Gordon, M. P., Lord Advocate of Scotland; the Honorable Lord Gilford, Professor Berry, Joseph Brown, Esq., Q. C., Charles Clark, Esq., Q. C., W. T. S. Daniel, Esq., Q. C., Sheriff Dickson, Esq., LL. D., Joseph Dodds, Esq., M. P., W. Neilson Hancock, Esq., LL. D., D. C. Heron, Esq., Q. C., A. E. Miller, Esq., Q. C., Adam Paterson, Esq., LL. D., Mr. Serjeant Pulling, Professor Roberton, LL. D., Sir Travers Twiss, Q. C., D. C. L., F. R. S., Alfred Waddilove, Esq., D. C. L., Thomas Webster, Esq., Q. C., F. R. S.

In this Department are discussed the Science of Jurisprudence and the Amendment of the Law; including the principles of Law and Legislation, Comparative Jurisprudence, International Law and Municipal Civil Law, and Criminal Law, together with the treatment of Criminals, and questions connected with Industrial and Reformatory Schools.

International and Municipal Law Section.

SPECIAL QUESTIONS FOR DISCUSSION.

1. — Is it absolutely desirable that the verdicts of juries should be unanimous ?

2. — Should the testimony of any and what persons, at present excluded witnesses, be admissible as evidence in courts of law ?

3. — How far may courts of arbitration be resorted to as a means of settling the disputes of nations ?

Secretary, H. N. Mozley, Esq.

Local Secretaries, D. D. Balfour, Esq., Colin D. Donald, Esq., Jun., Arthur Forbes, Esq.

Repression of Crime Section.

Chairman.

Vice Presidents, Lord Ardmillan, the Honorable Lord Craighill, T. B. Ll. Baker, Esq., Sheriff Barclay, of Perth, John Hill Burton, Esq., LL. D., Rutherford Clark, Esq., Dean of Faculty of Advocates, Mr. Serjeant Cox, Judge of Middlesex Sessions, R. T. Middleton, Esq., H. B. Sheridan, Esq., M. P., Mark J. Stewart, Esq., M. P.

SPECIAL QUESTIONS FOR DISCUSSION.

1. — How far is it desirable that the Industrial Schools Act should be extended to day industrial feeding schools ?

2. — How far should previous convictions be taken into account in sentencing criminals ?

3. — Is it desirable to extend sentences of police supervision to other cases than those already provided for ?

Secretary, Thomas W. C. Jones, Esq.

Local Secretaries, Michael Connal, Esq., J. B. Kidston, Esq., E. S. Macharg, Esq.

II. — EDUCATION.

President, the Right Honorable Lord Napier and Ettrick, K. T.

Vice Presidents, Edwin Chadwick, Esq., C. B., E. B. Eastwick, Esq., C. B., F. R. S., Principal Sir Alexander Grant, Bart., LL. D., James McClelland, Esq., John Ramsey, Esq., M. P., Robert Reid, Esq., M. P., Rev. J. H. Rigg, D. D., Sir William Stirling-Maxwell, Bart., M. P., Thomas Sopwith, Esq., F. R. S.

This Department deals with the various questions relating to Education, whether of the upper, middle, or lower classes of society.

Special Questions for Discussion.

1. — What is the best mode of extending the benefits of academical endowment in England and Scotland respectively ?

2. — In what way and at what stage can technical instruction be best introduced into our national system of education ?

3. — How far can the children of the wage earning classes be best brought under elementary instruction by means of the factory, workshops and other acts and by the action of school boards ?

Secretaries, Rowland Hamilton, Esq., Rev. Brooke Lambert.

Local Secretaries, James Bell, Esq., W. F. Collier, Esq., LL. D., John Robertson, Esq.

III. — HEALTH.

President, the Right Honorable Lyon Playfair, D. C. L., C. B., M. P.

Vice Presidents, the Honorable the Lord Provost of Glasgow, H. W. Acland, Esq., M. D., F. R. S., Sir Robert Christison, Bart., M. D., William Farr, Esq., M. D., F. R. S., J. G. Fleming, Esq., M. D., Captain Douglas Galton, C. B., F. R. S., George Godwin, Esq., F. R. S., Stevenson McAdam, Esq., Ph. D., F. R. S. E., Robert Rawlinson, Esq., C. B., C. E., John Ure, Esq.

This Department considers the various questions relating to Public Health, and collects statistical evidence of the relative healthiness of different localities, of different industrial occupations, and generally of the influence of external circumstances in the production of health or disease; it discusses improvements in house construction (more especially as to the dwellings of the laboring classes), in drainage, warming, and ventilating; public baths and wash-houses; adulteration of food and administrative machinery necessary for its detection; sanitary police; quarantine, etc.; poverty in relation to diseases, and the effects of unhealthiness on the prosperity of places and persons.

Special Questions for Discussion.

1. — What are the best methods of sewering towns and of disposing of their organic refuse?

2. — In what way can healthy working men's dwellings be erected in lieu

of those removed for the purpose of carrying out sanitary or municipal improvements, or for other purposes?

3. — What influence has the employment of mothers in manufactures on infant mortality, and ought any and what restrictions to be placed on such employment?

Secretaries, William Clode, Esq., William Hardwicke, Esq., M. D.

Local Secretaries, George Paterson, Esq., J. B. Russell, Esq., M. D.

IV. — ECONOMY AND TRADE.

President, Sir George Campbell, K. C. S. I.

Vice-Presidents, Lord Dean of Guild, W. E. Briggs, Esq., M. P., Alexander Ewing, Esq., Professor W. B. Hodgson, LL. D., Sir Harcourt V. B. Johnstone, Bart., M. P., Honorable Arthur Kinnaird, M. P., Sir Joseph McKenna, D. L., M. P., Peter McLagan, Esq., M. P., William Newmarch, Esq., F. R. S., Walter Paterson, Esq., Frederick Pennington, Esq., M. P., Honorable Edward Stanhope, M P.

In this Department are considered the various questions relating to Economics — Social, Political, and Commercial. It also collects information relating to Production, Manufacture, and Trade.

Special Questions for Discussion.

1. — What are the probable effects of the spread of manufacturing industry in Europe on the future commercial prosperity of the United Kingdom?

2. — What are the best means of drawing together the interests of the United Kingdom, India, and the Colonies?

3. — What legislation should follow upon the Report of the Commission on Friendly Societies?

Secretaries, F. G. P. Neilson, Esq., E. L. O'Malley, Esq., Rev. S. A. Steinhal.

Local Secretaries, Hugh Brown, Esq., W. H. Hill, Esq., George Jackson, Esq.

Papers on other subjects than the Special Questions coming within the range of the Departments will be read and discussed.

REGULATIONS CONCERNING PAPERS AND DISCUSSIONS.

The *Special Questions* will be taken in their respective Departments, one on each day, on the Thursday, Friday, and Monday of the meeting.

The Committees will obtain papers to open the discussion of these questions, and any member wishing to contribute papers on them is requested to communicate with the General Secretary, who will inform him whether the papers required on the subject have been obtained.

Voluntary papers on the various subjects comprised within the Departments will be taken on the Saturday and Tuesday.

The length of voluntary papers is limited to twenty minutes in reading.

The Council reserve to themselves the right of refusing any voluntary papers which may be sent in, and even in the case of papers that are accepted, the reading of such paper must depend on the time at the disposal of the Council.

No papers already published can be read.

No papers, when read, can be published by the author (unless by permission of the Council) previous to the publication of the *Transactions* of the Association for 1874.

The Council may print any paper, either wholly or in part, or in an abridged form, or may exclude it from the *Transactions*, as they see fit.

Every paper must be sent to the General Secretary, on or before the 19th of September. On the first page of the paper should be written the question or subject, the name of the author, and his address. A short abstract must be sent in with every paper, whether the paper be upon a *special question* or be a voluntary paper.

SUBSCRIPTIONS AND MEMBERSHIP.

ORDINARY MEMBER'S SUBSCRIPTION. — One guinea, or ten guineas life payment, entitling to admission to the Congress, and to receive a copy of its *Transactions*.

FULL MEMBER'S SUBSCRIPTION. — Two guineas, or twenty guineas life payment, with the privilege in addition of attending the meetings in London and receiving the publications connected therewith, and of the use of the library and reading-room.

ASSOCIATE'S SUBSCRIPTION. — Ten shillings, admitting to the meetings of the Congress only.

LADIES' TRANSFERABLE TICKETS. — Fifteen shillings, admitting to the meetings of the Congress only.

CORPORATE MEMBER'S SUBSCRIPTION. — Societies and other public bodies, two guineas, entitling to send two delegates to all the meetings, and to receive a volume of the *Transactions*.

Tickets for the Congress as above, including the opening address, the meetings of the Departments, the *Soirées*, and other privileges of members, may be had at the Offices of the Congress as under.

TRAVELLING ARRANGEMENTS.

Arrangements will be made with the various railway companies for the issue of return tickets to Glasgow, available from 29th of September to the 8th of October, inclusive, at the ordinary return fares, to persons attending the Congress, on production of a voucher, which may be obtained at the offices of the Association.

Tourists' tickets are issued at all the principal railway stations in England, to Scotland, allowing a break of journey at Glasgow.

A register of apartments will be prepared.

COMMITTEES OF THE NEW YORK MEETING.

Some report has been made of the action taken by the Committees appointed at the New York meeting in May. That of which Dr. Bishop is Chairman, is engaged in its work, but will make no report until 1875. The committee on Destitute and Delinquent Children, as appointed by Dr. Smith, Chairman of the Conference of May 22, consists of Samuel D. Hastings, Madison, Wis., *Chairman*. Charles L. Brace, of New York, Mrs. W. P. Lynde, of Milwaukee, George L. Harrison, of Philadelphia, and Rev. Horatio Wood, of Lowell, Mass. They have power to fill vacancies and to add to their own number, and are to report in 1875.

The Committee on Uniformity of Statistics, appointed at the Conference of Boards of Public Charities, May 20, has been considering the subject ever since that time, and on the 9th of September, reported in part at a special Conference of Secretaries of the State Boards of Charities, convened at the rooms of the Prison Association in New York, (58 Bible House, Astor Place). Their report was accepted, the forms of questions therein proposed were adopted by the Boards represented, and the Committee undertook to consider another statistical subject, in regard to the Insane in Hospitals, upon a suggestion made by Dr. Luther, Secretary of the Pennsylvania Board of Charities.

The following is the

REPORT OF THE COMMITTEE.

The undersigned, a Committee appointed at the New York Conference of Boards of Charities in May last, to consider and report a plan for uniformity of statistics of pauperism and crime, and for better cooperation among the Boards of Public Charities, have attended to that duty, and would report in part as follows: —

I. — THE EXISTING BOARDS OF PUBLIC CHARITY.

It appears that there are at present in the United States nine State boards or commissions charged with the general oversight of charitable work in the States where they exist. These boards, named in the order of seniority, are: —

1. The Massachusetts Board of State Charities, established in 1863.
2. The New York State Board of Charities, established in 1867.
3. The Rhode Island Board of State Charities and Corrections, established in 1869.
4. The Pennsylvania Board of Commissioners of Public Charities, established in 1869.
5. The Illinois Board of State Commissioners of Public Charities, established in 1869.
6. The Wisconsin State Board of Charities and Reform, established in 1871.
7. The Michigan Board of State Commissioners for the supervision of the Penal, Pauper, and Reformatory Institutions, established in 1871.

8. The Connecticut State Board of Charities, established in 1873.

9. The Kansas Board of Commissioners of Public Institutions, established in 1873.

The present officers and members of these boards are as follows: —

1. — MASSACHUSETTS (Term of Office Five Years).

Dr. Samuel G. Howe, Boston, *Chairman;* Edward Earle, Worcester; Nathan Allen, Lowell; Moses Kimball, Boston; F. B. Sanborn, Concord; S. C. Wrightington, Fall River, *General Agent;* Sidney Andrews, Boston, *Secretary.*

2. — NEW YORK (Term of Office Eight Years).

John V. L. Pruyn, Albany, *President;* William P. Letchworth, Buffalo, *Vice-President;* James A. Degrauw, Brooklyn; Nathan Bishop, 11 E. 24th St., New York; Howard Potter, New York; Benjamin B. Shearman, New York; Harvey G. Eastman, Poughkeepsie; Samuel F. Miller, Franklin, Delaware County; Edward W. Foster, Potsdam, St. Lawrence County; Martin B. Anderson, Rochester; Theodore W. Dwight, Clinton, Oneida County.

Ex-officio Members.

The Lieutenant Governor, Secretary of State, Comptroller and Attorney General; Dr. Charles S. Hoyt, Albany, *Secretary.*

3. — RHODE ISLAND (Term of Office Six Years).

George I. Chace, Providence, *Chairman;* William W. Chapin, Providence, *Secretary;* Horace Babcock, Westerly; Samuel W. Church, Bristol; Thomas Coggeshall, Newport; William Hopkins, Providence; John Kenyon, Providence.

Superintendent of State Charities and Corrections.

George W. Wightman, Providence.

4. — PENNSYLVANIA (Term of Office Eight Years).

George L. Harrison, Philadelphia, *Chairman;* G. Dawson Coleman, Lebanon County; Hiester Clymer, Berks County; William Bakewell, Pittsburg; A. C. Noyes, Clinton County; George Bullock, Montgomery County; Francis Wells, Philadelphia; Diller Luther, M. D., Reading, *Secretary.*

5. — ILLINOIS (Term of Office Five Years).

S. M. Church, Rockford, Illinois, *President;* G. S. Robinson, Sycamore; J. C. Corbus, Mendota; Z. B. Lawson, Chesterfield; J. N. McCord, Vandalia; Rev. F. H. Wines, Springfield, Illinois, *Secretary.*

6. — WISCONSIN (Term of Office Five Years).

Hiram H. Giles, Madison, *President;* W. C. Allen, Racine, *Vice President:* Andrew E. Elmore, Fort Howard; Willard Merrill, Milwaukee; Mary E. B. Lynde, Milwaukee; A. C. Parkinson, Madison, *Secretary.*

7. — MICHIGAN (Term of Office Six Years).

Charles I. Walker, Detroit, *Chairman;* Henry W. Lord, Pontiac; William B. Williams, Allegan; Charles M. Croswell, Adrian, *Secretary.*

8. — CONNECTICUT (Term of Office Five Years).

Benjamin Stark, New London, *Chairman;* Samuel F. Jones, Hartford; Dr. Levi Ives, New Haven; Mrs. George A. Hoyt, Stamford; Mrs. Marriette R. Pettee,[1] West Meriden, *Secretary.*

9. — KANSAS (Term of Office One Year).

C. S. Brodbent, Wellington, *Chairman;* Charles Puffer.

II. — THE FORMS FOR STATISTICAL INQUIRY.

It is proposed that all these Boards shall unite in answering the following questions in their next published reports.

Inquiries to be answered in the Annual Reports of the Boards of Public Charities.

[Beginning with the Reports for the year 1874, now in preparation.]

I. — THE POWERS AND DUTIES OF THE BOARDS THEMSELVES.

1. When was your board established by law, of how many members does it consist, and what are its *general* powers and duties?
2. What special powers have since been conferred upon it, and which of its powers has it actually exercised?
3. What duties does it *now* perform, and in what precise method?
   A. *Of Supervision.* (Name all the establishments which it oversees and state what powers it has towards these establishments.)
   B. *Of Administration.* (State whether it can transfer or discharge inmates, appoint or remove officers, control purchases, appropriations, or any of the details of the management of a public establishment; *also*, state whether your board has any control or regulation of immigration into the State, or of the removal of paupers or other dependents out of the State, or from one locality to another within the State; whether it has any judicial powers, or any control over the architecture of new public buildings.)
   C. *Of Recommendation.* (State whether your Board possesses and exercises the power of recommending changes in the laws or regulations affecting the public dependents; and what means it has for carrying those recommendations into effect.)
   D. *Of Statistical Inquiry and Report.* (State what these powers are and how they have *actually* been exercised, if at all.)
4. What concurrent, conflicting or controlling boards or authorities exist in your State, which can and do further, impede or set aside the work of your board?

[1] Resigned July, 1874.

II. — THE NUMBER OF PUBLIC DEPENDENTS.

1. What was the *aggregate* and what the *average* number of public dependents in your State (whether under the oversight of your board or otherwise), for the year ending September 30 (or December 31), 1874?
   (*a.*) The aggregate number.
   (*b.*) The average number.
2. State the number in each class composing this aggregate number; namely, —

A. *Paupers Fully Supported,*
   In almshouses,
   In lunatic hospitals or asylums,
   In private families or otherwise.

B. *Persons Aided or Partially Supported,*
   In their own families,
   In hospitals, infirmaries and dispensaries,
   In asylums, schools, reformatories, prisons or elsewhere.

C. *Paupers Removed or Transported.*
   (This may include the care of vagrants, the burial of the dead (not otherwise chargeable), the return of immigrants or interlopers to their own proper place, etc.)

D. *Grand Aggregate of Paupers,*
   Average of paupers. Number at the beginning and end of the year.

E. *Insane Persons; viz.,* —
   Whole number in the State at a given date,
   Whole number in hospitals and asylums. (State the number of these supported at *public* expense, either by the State, the counties, or the cities and towns.)
   Whole number in almhouses and prisons,
   Whole number in private families. (State whether supported at *public* or private cost.)
   The *average* number in the above situations,

F. *Aggregate of the insane,*
   Average of the insane,

G. *Aggregate of pupils in public reformatories,*
   Average of pupils in public reformatories,
   (State how many of these are also included among paupers above-mentioned.)

H. *Prisoners; viz.:* —
   Convicts in the State prisons. (Whole number and average.)
   Convicts in houses of correction, district prisons and workhouses. (Whole number. Average.)
   Convicts in jails and county prisons. (Whole number. Average.)
   Persons waiting trial or sentence, or the execution of sentence. (Whole number. Average.)

(State how many of each of these classes are males, how many females; also, how many are likewise included in any of the previously-named classes.)

N. B. — *This is preliminary and essential to giving* —

3. *The grand total of all the public dependents* for the year (duplicates excluded), and the average number; also, the number at *two* given dates, which should be the same in all the reports, — say the first of January and the first of July, in each year.

III. — THE COST OF PUBLIC CHARITY AND CORRECTION.

1. The *whole* net cost of full support for paupers,
   A. In almshouses, etc. (as above).
2. The *whole* cost of aid and partial support,
   B. In their own families. (This is "out-door relief," strictly speaking.)
   In hospitals and dispensaries. In asylums, schools, etc. (as above).
3. The whole cost of vagrants, burials, transportation, etc. (as above).
4. *Grand total of pauper cost.*
5. Cost of the insane. (Specify how much of this is included in the pauper cost, and give the items by classes as above, under E.)
6. Cost of pupils in reformatories, etc. (Specify as in case of the insane.)
7. Cost of prisoners, their support and all expenses, deducting their cash earnings. Specify how much of this is included above.)
8. The grand total of all the expenditure for public dependents, *excluding all duplications of cost*, and giving in the same connection the average number supported in each class, and the average net cost per week for each person.

IV. — THE PUBLIC PROVISION FOR BLIND, DEAF MUTE AND IDIOTIC PERSONS.

1. What is the whole number of blind persons in your State? Of deaf mutes? Of idiots?
2. How many of each class are at school, or in asylums where they are taught something, and how many of such establishments in your State?
3. What methods of instruction are employed? How many persons are subjected to each method, and at what cost annually? (State by whom this cost is paid; how much by the State, how much by the counties and cities, etc., how much by individuals.)

V. — HOSPITAL PROVISION FOR THE SICK.

1. How many hospitals for the sick, special and general, in your State? How many patients can they receive at once; and how many did they receive in the year 1874?
2. How many of these were pauper hospitals, and have their cost included in the pauper expenditure?
3. How many are supported or aided by appropriation of public money, made by (*a*) the State, (*b*) the counties, (*c*) the cities or towns? What is the whole cost to the tax-payers?

4. What was the annual cost in the income of invested funds and endowments? What in receipts from the patients and their families?
5. The whole cost of hospitals and dispensaries. (Specify how much of this is also included in the pauper and prison expenditure.)

VI. — PRIVATE CHARITIES.

1. Estimate the sums expended in private charity in your State *by organized societies*, and the annual number of their beneficiaries, classifying the same as clearly as possible, and excluding *educational* charities, except for the benefit of the classes named above.

III. Remarks on the Questions.

It will be noticed that the above questions apply to each State in which a Board of Charities exists, and are intended to elicit such statements in the next Reports of these Boards as will present all the material facts of a general nature in regard to Pauperism, Insanity and Crime, and their cost to the State for which the Report is made. It is not expected that all the questions can be exactly answered, but it is hoped that where definite statistics cannot be given *for the whole State*, a careful estimate will be made, under each head, and, if possible, in reply to each question. Even in cases where, as in the State of New York, the Board of Charities divides with the Commissioners of Emigration, the Lunacy Commissioner, and the Prison Association, the supervision of charitable and penal establishments, it is hoped that the statistics of Pauperism, Insanity, and Crime for the whole State may be brought together in the Report of the Board of Charities, after obtaining the needful information from the other State authorities. In Pennsylvania and Massachusetts, and perhaps in other States, the attempt is now made, in the Annual Reports, to bring all these statistics together, so as to present an aggregate by means of which the condition of one State can be closely compared with that of another.

It will be further observed that no attempt has been made, in the above questions, to get at the statistics of the *causes* of Pauperism and Crime, as it was suggested in the first session of our Committee might possibly be done. This work — a very delicate and difficult one — has been undertaken in the great State of New York, by the diligent and experienced Secretary of the State Board of Charities, Dr. Hoyt, and is going on at this moment. When it shall have been so far completed that the first general abstract of results can be published, other States will have a guide, of much value, to aid them in a similar task. Until then we would recommend the Boards in other States to make use of Dr. Hoyt's Questions, printed herewith, so far as may be found practicable where the legal and administrative machinery has not been so fully provided as seems to be the case in New York. It is understood that

the form of Questions suggested by Dr. HARRIS, and printed in the Sixth number of the *Journal of Social Science*, had not received his final revision, and was, indeed, rather a brief for use in consultations concerning the investigation to be set on foot, than a completed plan. Using these and other suggestions, with the results of his own careful observations, Dr. Hoyt has drawn up his Questions, which the New York Board adopted as follows: —

SCHEDULE.

For the record of dependents examined by the State Board of Charities and its local committees and agents, under and pursuant to the concurrent resolution of the Senate and Assembly, of May 27th and 29th, 1873. Each of these sheets is designed for the history of a single case. Examiners will be guided by the directions contained therein.

COUNTY POOR HOUSE.

Examination No.

I. NAME, SEX, AGE, SOCIAL CONDITION, COLOR, BIRTH-PLACE, ETC.

1. Name.
2. Sex, (Male M. Female F.)
3. Age at last birthday, years. (If under 1 year state the months.)
4. Social condition, (Single, Married, Widow, Widower, divorced.)
5. Color (White, Black—if mixed, state degree).
6. Birth-place, (State or Country, County, Town, City,). If born in a poor-house or other public institution, state the fact. If of foreign birth, how long in the U. S.? How long in this State? At what port landed?
7. Birth-place of father, (State or Country, County, Town, City,). (If born in a poor-house or other public Institution, state the fact.)
8. Birth-place of mother, (State or Country, County, Town, City,). If born in a poor-house or other public institution, state the fact.

II. LENGTH OF TIME A DEPENDENT.

9. At what age did this person first become dependent upon public charity?
10. What was the first mode of aid? (State whether by neighborhood, church, organized society, temporary relief by public officials, or full support in a poor-house, or other public institution, the name of which should be given.
11. If first aided outside of institutions, how long was this continued?
12. At what age did this person first become an inmate of a poor-house? years. (If under one year give the months.)
13. How long an inmate of this poor-house? years. (If less than one year give the months.)
14. Has this person been in other poor-houses?
15. If so, how many?

16. How long in all has this person been an inmate of poor-houses? years. (If less than one year give the months.)
17. Has this person been an inmate of any insane asylum, blind asylum, idiot asylum, deaf and dumb asylum or refuge? (If so, state which, and how long.)
18. Has this person been in jails, work-houses, penitentiaries or prisons, convicted of crime? (If so, state which, how long an inmate, and the nature of the offense.)

III. Personal and Family History of the Dependent.

19. Is this person of legitimate or illegitimate birth? (Write which.)
20. Is there consanguinity in the parents? (If so, write what degree.)
21. Can this person read and write?
22. Did this person receive a fair school education?
    If not, why neglected?
23. Had this person habits of idleness?
    " " " of thrift and saving?
    Was this person totally abstinent
    " " a moderate drinker?
    " " a periodical drinker?
    " " a constant drinker?
24. Had the father habits of idleness?
    " " " of thrift and saving?
    Was the father temperate or intemperate? (Write which.)
25. Had the mother habits of idleness?
    " " " of thrift and saving?
    Was the mother temperate or intemperate? (Write which.)
26. Was the father immoral, sensual, or otherwise debased? (State facts.)
    Was the mother immoral, sensual, or otherwise debased? (State facts.)
27. Did this person receive moral and religious training in youth?
28. Did youthful habits of vagrancy and idleness exist? (State facts.)
29. Did this person have a fixed home, or lead a roving life before becoming dependent?
30. What trade did this person ever learn, or what occupation pursue?
31. Why was it abandoned?
32. What was the occupation of the father of this person?
    If a wife, what was the occupation of the husband?
33. Was the father a pauper?
    " mother "
    " grandfather a pauper?
    " grandmother "
    Were any of the brothers of this person paupers?
    " " sisters " "
    " " uncles " "
    " " aunts " "

(Where there are two or more persons of the same family to be examined, questions 24 to 39, inclusive, should be put to one member only.)

34. Total number of persons in the above group of families (three generations living and dead) known to have been dependent on public charity?
35. Total number in the same group (living and dead) known to have been self-supporting?
36. Total number of insane (living and dead) in the same group?
37. Total number of idiots (living and dead) in the same group?
38. Total number of inebriates (living and dead) in the same group?
39. Total number who have been in penitentiaries or state prisons (living and dead) in the group?

(Questions No. 40 and 41 should be put to the father only, if both parents are living and present; if not, then to the only living parent.)

40. If a parent, how many children has this person now living?
41. What is their condition; are they in poor-houses, asylums, hospitals, refuges, etc., or are they self-supporting? (Write the fact.)

IV. Existing Causes of Dependence.

42. Homeless childhood (illegitimate),
    " (abandoned),
    " (by death of father),
    " (by death of mother),
    " (by death of both parents),
    " (by pauperism of parents),
    " (by imprisonment of parents for crime).
43. Homeless by abandonment of husband,
    " by death of husband,
44. Old age and destitution,
45. Permanent disabling disease (with the name of it).
46. Temporary disabling disease or sickness (with the name of it).
47. Crippled (how),
    Deformed (how),
48. Loss or impairment of any of the five special senses. (State which, and how.)
49. Loss or impairment of any other natural faculty or bodily power. (Write what faculty or power, and how lost or impaired.)
50. Insanity? Idiocy?
    Epilepsy? Paralysis?
51. General feebleness of the mind?
    " " " body?
52. Impairment or degeneration of the bodily powers, or mental faculties, from inebriation? (State the facts.)
53. Is there proof of insanity, epilepsy, paralysis, special feebleness of mind or body, syphilis, or any other entailment of bodily or mental misfortune from parentage in this person's history? (If so, note the fact.)
54. Is there mental or moral perversion, or morbid and debasing conditions of mind? (If so, state the fact and the causes to which attributed.)
55. Is this person capable of self-supporting labor without supervision?
56. Is this person capable of self-support under direction and supervision?
57. How is this person's time employed in this institution?

58. What is the chief cause of dependence in the case of this person, and what, if any, the remedies?
59. What appears to be the destiny of this person as respects recovery from the cause of dependence?
60. What family relatives of this generation, if any, have the pecuniary ability to suitably provide for, or take care of this person? (State facts and evidence.)

NOTE. — These Schedules should be numbered in the order of examination, and where there are two or more persons of the same family in any institution, they should be examined consecutively, commencing with the parents if present, if not with the oldest representative.

IV. GENERAL COÖPERATION IN CHARITABLE WORK.

It is hoped that the Boards of Public Charity enumerated above, and such others as may be from time to time established in the other States, will find it convenient, as it certainly would seem to be useful, to maintain a constant correspondence with each other, and to meet together for conference at least once a year. There can hardly be a too zealous coöperation between such Boards, having common interests, and an intelligent desire to improve the methods of charitable and penal admintration throughout the country, — since a bad system anywhere in use, affects, more or less directly all those States which may have a better system. A good example of such coöperation among the officials of a single State (larger, to be sure, than all New England), is to be found in the Annual Convention of the County Superintendents of the Poor in New York, which, for the present year was held at Rochester on the 9th of June. Thirty-four of the counties were represented on that occasion, by more than fifty delegates; and there were also present three members of the State Board of Charities, and the Secretary of the New York Prison Association. The new legislation and the recent administrative experience of the whole State, in regard to pauperism, were there ably discussed, and the published proceedings, are of value to students of Social Science, all over the land. If what is here done in a single State could be done in all the States, great advantage would result. Even if this is not possible, for years to come, it will be possible to bring together the fifty or sixty persons who serve on the State Boards of Charities, for a yearly conference and comparison of methods and results. The undersigned, having been empowered to do so, have invited a conference of the Secretaries of these Boards in the City of New York to-day, and propose to call a general meeting of all the members of Boards at some convenient time and place next year.

Respectfully submitted.

F. B. SANBORN, of *Massachusetts*,
WILLIAM P. LETCHWORTH, of *New York*,
H. H. GILES, of *Wisconsin*.

NEW YORK, *September* 9, 1874.

THE ANNUAL MEETING OF 1874.

The American Social Science Association will hold its Tenth Annual Meeting in Boston, Wednesday, October 14, 1874, at 10, A. M., continuing through the day. The election of officers for 1875 will be the first business, after the reports of the Secretary, the Treasurer, and the Secretaries of Departments are presented. Several propositions for amending the constitution will be offered, of which public notice is hereby given according to custom. The first amendment proposed relates to Article II., and is to the effect that the Association shall include *five* Departments, instead of *four* as at present, the fifth Department to be styled "of Social Economy." The second amendment proposed relates to Article III., and is as follows: —

"Wherever the word 'Executive Committee' is found, the same shall be stricken out, and the word 'Council' put in its place; and there shall be admitted as members of this Council, those officers who now compose the Executive Committee, and also the Secretaries of the five Departments and the Chairmen of Local Departments, who shall be *ex-officio* Directors of the Association, and the Chairmen of Branch Associations, who shall be *ex-officio* Vice Presidents of the Association."

The third amendment proposed relates also to article III., and is to this effect: —

"That the words 'to conduct the affairs of local sections' be stricken out, the word 'four' be changed to 'five," and the words 'annually in the month of December,' be inserted after the words, 'The Chairmen of the Department and Local Committees shall be chosen;' and that instead of the words 'the second Wednesday of October," be substituted "the second Wednesday of January;' also that wherever the word 'established' occurs, it shall be followed by the words 'and annually confirmed."

The fourth amendment proposes in general terms, to determine the relations between the Association and its Departments and Branches, and to fix more definitely the character and time of convening the General Meeting; also to make the phraseology of the constitution more consistent and intelligible.

It is expected that a few papers will be read and discussed at the afternoon session of the Annual Meeting, and all the Members of the Association are hereby invited to be present. The place of meeting will be the Hall of the Lowell Institute.

By order of the Executive Committee.

GEORGE WILLIAM CURTIS, *President.*
F. B. SANBORN, *Secretary.*

5 PEMBERTON SQUARE, BOSTON, *September* 26, 1874.

MEMBERS OF THE ASSOCIATION.

In addition to the names of members printed in Number Six of the Journal, the following are to be entered on the list: —

ANNUAL MEMBERS.

Brainerd, Cephas, 48 Pine Street, New York.
Coffin, Charles F., Richmond, Indiana.
Jarvis, Edward, Dorchester, Mass.
Joy, Charles A., Columbia College, New York.
Letchworth, William P., Buffalo, New York.
Means, William G., 16 Hancock St., Boston.
Pellew, Henry E., 18 W. 33d St., New York.
Phillips, Wendell, Boston.
Rotch, Miss Joanna, Milton, Mass.

In the list of addresses, "Ayres, John," should be 7 Exchange Place.

INDEX TO NOS. VI AND VII.

JOURNAL

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CONTAINING THE

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1873

CONTENTS OF NO. V.

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The Annual Subscription of Members is [illegible] Dollars. Remittances may be made to [illegible], Treasurer, [illegible] Exchange Street, Boston, Mass.

The principal office of the Association is at 5 Pemberton Square, Boston.

JOURNAL

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Third Edition.

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CONTENTS OF NO. V.

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The Annual Subscription of Membership is $5.00. Remittances may be made [illegible] Treasurer at the office of the American Education Society, Boston.

JOURNAL

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The Riverside Press, Cambridge, Mass.
1874.

THE JOURNAL OF SOCIAL SCIENCE has been hitherto an occasional publication, appearing at irregular intervals, but usually once a year. During the years 1872-3, only one number was published; in 1874 two have been issued. It is hoped hereafter to publish it semi-annually, and perhaps oftener, so as to furnish in each year a volume of at least 500 pages to the members of the Association, and to those individuals and libraries that may prefer to receive it by subscription. It will be published at the rate of One Dollar for 200 pages, however often it may appear, and subscriptions for the numbers at that rate may be sent either to the publishers, or to the editor (F. B. Sanborn, 5 Pemberton Square, Boston), the Secretary of the Association.

The Journal includes, in the first place, the Transactions of the Association; that is, the proceedings at its meetings, general or special, the papers read at those meetings, and such reports of the discussions as are made, and in the second place, other papers prepared for the Association, or relating to its work. Numbers Six and Seven, for instance, contain nearly all the papers read at the New York Meeting in May, 1874, and also, other papers or extracts from papers relating to the topics treated at that meeting. For the convenience of subscribers, certain topics are grouped together in Number Six, as, for example, those relating to Public Charities and Finance; others, relating to Public Health and Education are grouped in Number Seven. The latter also contains a record of facts and events, at home and abroad, which may be supposed to interest students of Social Science. All such, and particularly members of the Association, are invited to contribute statistics, reports, or any data whatever which can properly find a place in the Journal.

Number Six was published in July, 1874; Number Seven in September, and Number Eight may be expected early in 1875. Number Five was published in October, 1873. The table of contents of Numbers Five and Six is appended. Number Seven contains the papers on Sanitary subjects read at the New York Meeting, the papers of Presidents Woolsey and White, and other important matter. Number Eight will contain the proceedings of the Annual Meeting in October, the reports, papers, and discussions thereat, and some account of the British Social Science Congress at Glasgow.

The Annual Subscription of Membership is $5.00. Remittances may be made to F. B. SANBORN, Treasurer, at the office of the Association, 5 Pemberton Square, Boston.

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Now in Press and Ready Shortly, Number One.

Contents of Number One.—I. [illegible] Dorman B. Eaton. [illegible] Walker. [illegible] Public Administration. [illegible] Markoe. XIII. [illegible]

Contents of Number Six.—Council Meeting at New York. I. [illegible] Adjustment. II. [illegible] IV. [illegible] of New York. VI. [illegible] Prof. H. [illegible] IX. [illegible] XI. [illegible] Prof. W. [illegible]

Contents of Number Seven.—I. Private Property on the Sea. [illegible] III. [illegible] VI. [illegible] VIII. [illegible]

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